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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

Original Application No. 963 of 2013
Cuttack, this the 21st day of January, 2014

CORAM
HON'BLE MR. R.C. MISRA, MEMBER (Admn.)

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Rabindra Kumar Singh,
aged about 61 years,
Son of Late Gopinath Singh,
Permanent resident of
Vill – Company Bazar, PO- Chhatia,
Dist- Jajpur (Odisha),
Presently retired as Supdt. PSD
Bhubaneswar-751007, Dist. – Khurdha.

.....Applicant

Advocate(s)... Mr. T.Rath.

VERSUS

Union of India represented through

1. Secretary,
Ministry of Communication & IT,
Department of Posts, Dak Bhawan,
New Delhi- 110001.
2. Chief Post Master General,
Odisha Circle,
Bhubaneswar-751001,
Dist-Khurda.
3. Sr. Supdt. of Post Offices,
Puri Division,
Puri 752001, Dist. Puri

..... Respondents

Advocate(s)..... Mr. D.K.Behera

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ORDER (ORAL)

MR. R.C.MISRA, MEMBER (ADMN.):

Heard Sri T. Rath, Ld. Counsel for the applicant, and Sri
D.K.Behera, Ld. Addl. Central Govt. Standing Counsel appearing for the
Respondents. Accordingly, on my direction, Mr. Behera accepts notice on



behalf of the Respondents. Registry is directed to serve notice, in terms of Sub Rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission.

2. The submission made by Sri T. Rath, Ld. Counsel for the applicant, is that the applicant, who was Inspector of Posts, was conferred with the second financial upgradation under ACP Scheme vide order dated 12.08.2002 as at Annexure-A/1. However, he was not aware ^{that} he was to exercise his option for pay fixation since there was no such intimation in the order itself. Accordingly, he made a representation on 01.03.2004 to Postmaster, Jagatsinghpur, H.O., on which no action was taken by the Respondents. On 02.07.2004 also the applicant made a representation to the Director General of Posts putting forth his grievance on which, apparently, no action was taken. Ld. Counsel for the applicant has drawn my attention to the Circular dated 21.07.2003 issued by the Assistant Director General (Estt.) of the Department of Posts that the case for condonation of delay in exercising of option for pay fixation, which was being forwarded to the Director General, should be referred with complete information as listed. Therefore, the submission of Sri Rath is that Director General has the power to condone the delay in such matter. It is his submission that the applicant has made a representation in this light to the Director General of Posts on 19.07.2013 as at Annexure-A/6.

3. Sri D.K.Behera, Ld. Addl. Central Govt. Standing Counsel representing the Respondents, has no specific information about the pendency of such representation.

4. Considering the submissions made by the Ld. Counsels, without going into the merits of this matter, I, therefore, direct Respondent


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No.1 to consider the said representation, if it has been received by him and is still pending with him, regarding condonation of delay in exercise of option for pay fixation in the light of the extant instruction of the Department and pass a reasoned and speaking order within a period of 60 days from the date of receipt of a copy of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of at the stage of admission itself.

6. Copy of this order may be transmitted to Respondent No.1 for compliance, for which, Ld. Counsel for the applicant undertakes to give postal requisites within next three days.



MEMBER (Admn.)

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