

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 970 OF 2013
CUTTACK, THIS THE 31st DAY OF JANUARY, 2014

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CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

.....
Prasanna Kumar Mangraj,
Aged about 62 years,
S/o Late Hadibandhu Mangraj,
At/PO- Raypur, Via/PS – Jankia,
Dist.- Khurda.

.....**Applicant**

(Advocate(s) : M/s. S.K.Das, S.K.Mishra)

VERSUS

Kendriya Vidyalaya Sangathan Represented through

1. Commissioner,
18- Industrial Area,
Saheed Jeet Singh Marg,
New Delhi-110016.
2. Joint Commissioner, (Admini)
Kendriya Vidyalaya Sangathan,
18- Industrial Area,
Saheed Jeet Singh Marg,
New Delhi-110016.
3. Dy. Commissioner,
KVS, Regional Office,
Bhubaneswar,
Pragati Bihar Colony,
Mancheswar, Bhubaneswar.
4. Principal,
KVS, ARC, Charbatia,
At/PO- Charbatia, Dist.- Cuttack.
5. Principal,
KVS, INS, Chilka,
At/PO- Chilka, Dist.- Khurda.

... Respondents

Advocate(s)..... Mr. H.K.Tripathy.

ORDER (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Copy of this OA has been served on Mr.H.K.Tripathy, Learned panel counsel for KVS, who accepts notice for the Respondents in this OA.

W.M.C

Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission. Heard Mr. S.K.Das, Learned Counsel for the Applicant and Mr.H.K.Tripathy learned panel counsel for Respondents.

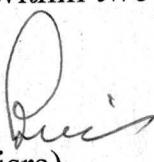
2. The grievance of the applicant in this Original Application is that though he is entitled to selection scale from 09.11.2001 as per Rules, and consequently arrears on retirement TA, packing allowance and revision of pension and pensionary benefits despite representation to Respondent No.2 on 06.09.2012 and to Respondent No.3 on 27.7.2012 till date he has not got the said benefits nor has he been communicated any reply on the said representations as a result of which he has been continuing in a state of penury. Mr.Tripathy has no immediate instruction whether any such representations have really been sent by the Applicant and if so the status thereof. However, he submitted that if some time is allowed he will obtain instruction and apprise this Tribunal about the action taken on the grievance of the applicant after receipt of representations.

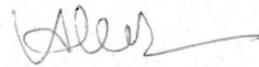
3. We have given our anxious thoughts to the arguments advanced by the respective parties. But we find no reason to keep this matter when the grievance of applicant is ~~lying~~ ^{pending for consideration} adjudication before the competent authority. Since considerable time has already ~~been~~ elapsed after the representations were preferred, without entering into the merit of the matter, this OA is disposed of at this admission stage with direction to Respondent No.2 to consider, the representation dated 06.09.2012 if the same is received and is still pending with him and communicate the result thereof in a well reasoned order to the applicant within a period of thirty days from the date of receipt of copy of this order. If on consideration of the representation, it is found

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that the applicant is entitled to the benefits as claimed by him then the same should be paid to him within another period of three months from the date of such order. If in the meantime any decision has already been taken but result has not been communicated then the same be communicated to the Applicant within a period of fifteen days from the date of receipt of copy of this order. There shall be no order as to costs.

4. As prayed for by Mr. Das, Learned Counsel for the Applicant copy of this order be sent by speed post, at his cost, to the Respondent No.2&3 for compliance; for which Mr. Das undertakes to furnish the postal requisite within two days hence.


(R.C.Misra)
Member (Admn.)


(A.K.Patnaik)
Member (Judicial)