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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 260/00348 OF 2014
Cuttack, this the 13th day of May, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (Judi.)
HON'BLE MR. R.C. MISRA, MEMBER (Admn.)

.....
Bandhumohan Sahoo,
Aged about 63 years,
Son of Late Karunakar Sahoo,
Retired Stock Verifier,
O/O F.A. & C.A.O./East Coast Railway,
Permanent resident of
Vill/PO- Pathuripada, P.S.-Banki,
Dist- Cuttack, Odisha.

.....Applicant

Advocate(s)... M/s. N.R. Routray, T.K. Choudhury, S.K. Mohanty, Ms. J. Pradhan

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway, E.Co.R.Sadan,
Chandrasekharpur, Bhubaneswar,
Dist-Khurda.
2. Financial Advisor & Chief Accounts Officer/
East Coast Railway, E.Co.R.Sadan,
Chandrasekharpur, Bhubaneswar,
Dist-Khurda.
3. Deputy Director ,
Pay Commission, Rail Bhawan,
Railway Board, New Delhi-110001.

..... Respondents

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

Wiley

ORDER (ORAL)

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

Heard Mr. N.R.Routray, Learned Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, and perused the materials placed on record.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 for a direction to the Respondents to grant him 2nd and 3rd financial upgradation under the MACP Scheme w.e.f. 01.09.2008 in PB-II with GP of Rs. 4600/- and 4800/- by extending the benefit of order passed in O.A.No. 335/2007 and pay the differential arrear salary with 12% interest for delayed period of payment. Mr. Routray, Ld. Counsel for the applicant, submitted that ventilating his grievance, the applicant has made representation to the Deputy Director, Pay Commission (Respondent No.3) on 12.03.2014 under Annexure-A/13, which is stated to be pending. Mr. Routray submitted that the grievance of the applicant more or less can be redressed if the said Respondent No.3 is directed to consider his representation taking into account the order passed by the Hon'ble Madras Bench of this Tribunal in O.A.No. 335/07, which was subsequently upheld by the Hon'ble High Court of Madras in W.P.No. 21112/2009.

3. Mr. Rath, Ld. Standing Counsel for the Railways, has fairly submitted that he has no immediate instruction as to whether any such representation, as claimed by the applicant, has really been submitted by him on 12.03.2014 and if so, the status thereof.

4. Be that as it may, since it is the positive case of the applicant that no decision has been communicated to him on the representation



submitted on 12.03.2014, without entering into the merit of this matter, this OA is disposed of at this admission stage with direction to Respondent No. 3 to consider and dispose of the representation stated to be preferred by the applicant on 12.03.2014 and communicate the decision thereof, in a well-reasoned order to the applicant within a period of 60(sixty) days from the date of receipt of copy of this order. If upon such consideration applicant is found to be entitled to the benefits claimed by him in the representation then expeditious steps be taken to extend such benefits within another period of 90 days from the date of such order. However, we make it clear that if in the meantime said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order. There shall be no order as to costs.

5. As agreed to by Ld. Counsel for both the sides, copy of this O.A., along with the copy of this order, be transmitted to Respondent No. 3 by Speed Post at the cost of the applicant, for which Mr. Routray, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 15.05.2014.


(R.C.MISRA)
MEMBER (Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)

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