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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 260/00382 OF 2014
Cuttack, this the 21st day of May, 2014

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

Bijaya Kumar Panda,
Aged about 63 years,
Son of Late Bhima Panda,
Retired Junior Clerk under SMR,
East Coast Railway, Bhadrak,
Permanent resident of
Vill.- Bagamara Sasan, PO- Gilatua,
Via- Madhaba Nagar, Dist- Bhadrak, Odisha.

.....Applicant

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

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway, E.Co.R.Sadan,
Chandrasekharpur, Bhubaneswar,
Dist-Khurda.
2. Sr. Divisional Personnel Officer/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.
3. Sr. Divisional Commercial Manager/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.
4. Sr. Divisional Financial Manager/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.

..... Respondents

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

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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, challenging inaction of the Respondents for non-payment of the consequential financial benefits arising out of two financial upgradations granted under MACP Scheme. Mr. Routray brought to our notice the representation dated 14.12.2013 made by the applicant to Sr. Divisional Personnel Officer, i.e. Respondent No.2, ventilating his grievance by relying upon the provisions enumerated under RBE No. 103/2008 and Office order dated 19.10.2010.

3. Mr. Rath, Ld. Standing Counsel for the Railways, has no immediate instruction as to whether any such representation, as claimed by the applicant, has really been submitted by him on 14.12.2013 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 14.12.2013, without entering into the merit of this matter, this OA is disposed of at this admission stage with direction to Respondent No. 2 to consider and dispose of the representation, if the same is still pending, as per rules in force 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 then expeditious steps be taken by



Respondent Nos. 3 and 4 to extend such benefits preferably within a 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 Nos. 2, 3 and 4 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 23.05.2014.


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


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

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