

3
CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00518 OF 2014
Cuttack, this the 7th day of July, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)

.....
M. Kali Prasad Sharma,
Aged about 57 years,
Son of M.S.K.Rao,
At present working as FOM, Grade-I
Under the SSE (W)/East Coast Railway/ Berhampur,
Permanent resident of
Vill.- Ananthagiri, PO- Venkatpuram,
Via- Brahmatarla, Dist- Srikakulam,
Andhrapradesh.

.....Applicant

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

VERSUS

Union of India represented through

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

..... Respondents

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

Alley

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, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the Respondents to pay the pay and allowance for the period from October, 1997 to December, 1999 and January, 2000 to October, 2002 amounting to Rs. 32,199/- and Rs. 89,235/- with 12% interest for the delayed period of payment. Mr. Routray, Ld. Counsel for the applicant, brought to my notice Annexure-A/9, a detailed representation of the applicant filed on 11.03.2014 before Sr. Divisional Personnel Officer, i.e. Respondent No.3, copy of which has also been forwarded to Respondent Nos. 2, 4 and 5, and submitted that till date no response has been received by the applicant.

3. Mr. Rath, Ld. Standing Counsel for the Railways, submits that he has no immediate instruction as to whether any such representation, as claimed by the applicant, has really been submitted by him on 11.03.2014 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 11.03.2014, 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 the grievance of the applicant as referred by him in his

Ale

representation, if the same is still pending, 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 the Respondents to extend the same to the applicant within a period of 90 days from the date of such consideration.

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. 3, 4 and 5 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 11.07.2014.


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

RK