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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00551 OF 2014
Cuttack this the 14th day of July, 2014

CORAM

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

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

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Pranabandhu Agasti, aged about 56 years,
Son of Sukumar Agasti,
Resident of Village/PO- Erada, PS/Dist- Bhadrak,
At present working as Master Craftsman (FGM)
Under the Garrison Engineer (I), R&D, Chandipur,
At/PO- Chandipur, Dist- Balasore.

...Applicant

(Advocates: M/s. B.S.Tripathy, M.K.Rath, J. Pati, Mrs. M. Bhagat)

VERSUS

Union of India Represented through

1. Chief Engineer,
R&D, Head Quarters,
Probyn Road, Delhi-54.
2. Engineer-in-Chief,
Army Head Quarters,
Kashmiri House,
New Delhi-110011.
3. Chief Engineer,
Eastern Command,
Fort William, Kolkata-21.
4. Garrison Engineer (I),
R&D, Chandipur,
At/PO- Chandipur,
Dist- Balasore-756025.
5. Controller of Defence Accounts (CDA),
Patna, Bihar-19.

... Respondents

(Advocate: Mr. B.K.Mohapatra)



ORDER (ORAL)

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

Heard Mr. B.S.Tripathy, Learned Counsel for the Applicant, and Mr.B.K.Mohapatra, Ld. Addl. CGSC appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents to fix his grade pay at Rs. 4600/- w.e.f. his completion of 30 years of service after counting the past military service in present MES service and extend the benefit of the decision of OA No. 461/05 passed by the Hon'ble CAT, Bangalore Bench as well as OA No. 950/95 passed by the Hon'ble CAT, Madras Bench in favour of the applicant by granting the pay scale of Rs. 950-1500/-from the date of his initial appointment i.e. 7.3.88. By drawing our attention to Annexure-A/9, followed by Annexure-A/10 reminder, the representations submitted by the applicant to the Respondent No.4, Mr. Tripathy, Ld. Counsel for the applicant, submitted that till date no response has been received from the Respondents. Mr. Tripathy further submitted that the grievance of the applicant may be redressed if a direction is issued to Respondent No. 4 to consider the representation within a specific time frame.

3. Mr. B.K.Mohapatra, Ld. Addl. CGSC appearing for the Respondents, has no immediate instruction, if any such representations have been preferred by the applicant and the status thereof.



4. Since it is the positive case of the applicant that the representations preferred by him are still pending, without entering into the merit of the matter, we dispose of this O.A. at the stage of admission itself by directing Respondent No. 4 to consider the representation under Annexure-A/9 (if the same has been received and is still pending) and dispose of the same communicating the result thereof to the applicant in a well reasoned order within a period of 60 days from the date of receipt of a copy of this order. If after such consideration, the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken preferably within a further period of 60 days to extend the same to the applicant.

5. As agreed to by the Ld. Counsel for both the sides, copy of this order, along with copy of the O.A., be transmitted to Respondent No. 4 by Speed Post at the cost of the applicant, for which Mr. Tripathy, Ld. Counsel for the applicant, undertakes to file the postal requisites by 16.07.2014


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


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

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