

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00633 OF 2014
Cuttack, this the 13th day of October, 2014

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

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Badakul Krishna Patra,
A retired Goods clerk/Commercial, Khurdha Road (East Coast Railways)
Aged about 65 years,
Son of B. Ulla Patra of Village-Purna Chandrapur,
PO- Panditgaon, P.S.- Khalikote, District- Ganjam,
At present- B.J.B.Nagar, Plot No. 16, Bhubaneswar, District- Khurdha.

.....Applicant

Advocate(s)... M/s. T. Panigrahi, D. Nayak.

VERSUS

1. The Divisional Railway Manager,
East Coast Railways, Khurdha Road,
At/Po- Jatani, Dist-Khurda.
2. Divisional Personnel Officer,
East Coast Railways, Khurdha Road,
At/Po- Jatani, Dist-Khurda.
3. Union of India represented through
General Manager,
East Coast Railway,
Chandrasekharapur, Bhubaneswar,
Dist-Khurda.

..... Respondents

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

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ORDER (ORAL)

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

Heard Mr. T. Panigrahi, Ld. Counsel for the applicant, and Mr.
T.Rath, Ld. Standing Counsel for the Railways, on whom a copy of this
O.A. has already been served and perused the materials placed on record.



2. Applicant, a retired Railway employee, by filing this Original Application under Section 19 of the Administrative Tribunals Act, 1985 has prayed for the following reliefs:

“(a) To grant/disburse MACP (Modified Assured Career Programme) with effect from 1.09.08 to be placed in grade pay 4200/- after giving due weight to his substitute service from 1971 to 1981 and to revise the pension accordingly.

(b) To replace of existing grade pay Rs. 2400/- as Rs. 2800/- w.e.f. 1.1.06 arrears of grade pay with effect from 1.1.06 arising out of difference of grade pay Rs. 2400/- to 2800/-.

(c) To pay of wages for the suspension period from 29.1.09 to 3.2.09 as said period has been transferred as leave due.

(d) To pay O.T. dues from 4.2.96 to 15.6.96 performed by the applicant at Kuhuri.

3. Mr. T. Panigrahi, Ld. Counsel for the applicant, submitted that ventilating his grievances, the applicant preferred representation dated 14.06.2010 before the Divisional Railway Manager, E.Co.Railway, (Respondent No.1) vide Annexure-3, which is still pending consideration as no reply on the said representation has been received by the applicant.

3. Mr. T. Rath, Ld. Standing Counsel for the Railways, submits that he has no immediate instruction whether any such representation has been filed by the applicant and, if so, the status thereof.


4. Taking into account the various submissions made by Ld. Counsel for both the sides and the specific stand of the applicant that his representation is stated to be pending for consideration, without going into the merit of this case, I direct Respondent No.1 to consider and dispose of the representation stated to be filed by the applicant on 14.06.2010, if the



same is still pending, as per the rules and regulations and pass a reasoned and speaking order under intimation to the applicant within a period of 60 (sixty) days from the date of receipt of a copy of this order. If the representation has already been disposed of in the meantime then the result thereof be communicated to the applicant within a period of 30 days from the date of receipt of a copy of this order.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent No. 1 by Speed Post at the cost of the applicant, for which Mr. Panigrahi, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 15.10.2014.


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

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