

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00 796 OF 2014
Cuttack this the 11th day of November, 2014

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

.....
Abhimanyu Pattanaik,
aged about 60 years,
Son of Late Hadibandhu Pattnaik
Of Village – Manapur, PO- Kalikaprasad,
PS/Dist- Nayagarh.

...Applicant
(Advocates: M/s. B. Dash, C. Mohanta)

VERSUS

Union of India Represented through

1. Secretary to Govt. of India,
In the Ministry of Railways/Railway Board,
New Delhi.
2. General Manager,
East Coast Railway,
Chandrasekharpur,
Bhubaneswar, Dist-Khurda.
3. Senior Divisional Personnel Officer,
East Coast Railway,
Khurda Road, Jatni, Khurda.

.... Respondents
(Advocate: Mr. T. Rath)

....

O R D E R (ORAL)

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

Heard Mr. B. Dash, 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.

A.K. Patnaik

2. Applicant, while working as Sr. Grade Trained Graduate Teacher under the Railway Administration, retired from service on 31.08.2013 on attaining the age of superannuation. In this present O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, while challenging the order dated 29.07.2013 vide Annexure-A/3, under which his pay has been revised/recalculated, he has prayed for the following reliefs:

- “a. The Original application may be allowed.
- b. The operation of the impugned order under Annexure-3 may be quashed.
- c. The respondents may be directed to restore the last pay of the applicant as Rs. 24, 730/- as on 31.08.2013 and then to clear up the differential arrear within a time to be stipulated by this Hon’ble tribunal.
- d. The respondents may be directed to revise the pension taking the last pay to be Rs. 24,730/- and to clear up the arrear pension within a time to be stipulated by this Hon’ble Tribunal.
- e. The respondents may be directed to refund the adjusted amount from the arrears forthwith to the applicant.
- f. The respondents may be directed to give all consequential benefits to the applicant.”

Mr. Dash, Ld. Counsel for the applicant, submitted that ventilating his grievance, the applicant represented before the Sr. Divisional Personnel Officer, E.Co.Rly., i.e. Respondent No.3, vide Annexure-A/9 dated 28.12.2013 but till date no response has been received by him on his representation.

3. On the other hand, Mr. T.Rath, Ld. Standing Counsel for the Railways, submits that right now he has no information whether any such representation has been filed by the applicant and, if so, the status thereof.

4. In view of the submissions made by Ld. Counsel for the parties and the specific stand of the applicant that his representation is still pending with



Respondent No. 3, at this stage, without entering into the merit of this case, we dispose of this O.A. by directing Respondent No.3 to consider the representation under Annexure-A/9, if it is still pending, and communicate the decision thereof to the applicant within a period of 60 days from the date of receipt of a copy of this order. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of copy of this order.

5. As prayed for by Mr. Dash, Ld. Counsel for the applicant, copy of this order, along with paper book, be transmitted to Respondent No. 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 14.11.2014.


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


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

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