

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00678 OF 2012
Cuttack, this the 03rd day of November, 2017

CORAM

HON'BLE MR. S. K. PATTNAIK, MEMBER(J)
HON'BLE DR. MRUTYUNJAY SARANGI, MEMBER (A)

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Dinabandhu Tudu, aged about 60 years, S/o. Late Ganesh Tudu, at present working as a Mate Gang No. 43, Byree, under Senior Section Engineer/East Coast Railway, Haridashpur, At/P.O/Via.- Dhanamandal, Dist- Jajpur, permanent resident of Vill- Dubrai, P.O- Haldipada, P.S- Sadar Balasore, Dist-Balasore, Odisha.

...Applicant

(By the Advocate-M/s. N. R. Routray, S. Mishra, T. K. Choudhury)

-VERSUS-

Union of India Represented through

1. General Manager, East Coast Railway, E.Co. R. Sadan, Chandrasekharpur, Bhubaneswar, Dist-Khurda.
2. Senior Divisional Personnel Officer, East Coast Railway, Khurda Road Division, At/Po: Jatni, Dist.- Khurda.
3. Divisional Railway Manager(Engg.) East Coast Railway/Khurda Road Division, At./P.O.-Jatni, Dist-Khurda.
4. Asst. Divisional Engineer-I, East Coast Railway, At.- Railway Campus, Station Bazar, P.O- College Square, Town/Dist-Cuttack.

...Respondents

By the Advocate- (Dr. C. R. Misra)

ORDER

S.K. PATTNAIK, MEMBER (J)

The applicant has filed this O.A. for a direction to the Respondents to grant 3rd financial upgradation under MACP Scheme with effect from 19.12.2010 and has also prayed to dispose of representation dated 28.06.2012 (Annexure-A/4). Learned Counsel for the Official Respondents drawing attention to Annexure-R/1 submitted that the grievance of the applicant has already been redressed vide order dated 22.08.2013 (Annexure-R-1) wherein he has been granted 3rd MACP with effect from 25.02.2011 after completion of 30 years of service.

2. In the counter the Respondents have categorically pleaded that the applicant has been promoted to the post of Mate on 05.03.1999 and was granted 2nd financial upgradation under MACP scheme with effect from 01.09.2008 and has been granted 3rd MACP vide order dated 22.08.2013 (Annexure-R/1). The Respondents have also categorically pleaded that the applicant is eligible for 3rd MACP from 25.02.2011 and not from 20.12.2010 as claimed by him in view of 49 days of absence.

3. Since the Respondents themselves have granted the substantial relief claimed by the applicant, the O.A. is disposed of with a direction to Respondent No.2 to grant financial benefit including arrear with effect from 25.02.2011 as per their own order dated 22.08.2013 (Annexure-R/1). The exercise be completed within a period of four months failing which the applicant shall be entitled to interest @ 8% per annum on the unpaid amount from today itself.

4. The O.A. is disposed of accordingly.

(DR. M. SARANGI)
MEMBER (A)

(S. K. PATTNAIK)
MEMBER (J)