



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH, KOLKATA

OA. 416 of 2018

PARTICULARS OF THE APPLICANT

Mritunjoy Maity, son of late Atul Chandra Maity, aged about 61 years, worked as SSE (C&W)/SRC as Helper-II, residing at Village Gourangapur, Post Office - Raghu Nath Bari, P.S. - Panskura, District - Purba Midnapur, Pin 721634, West Bengal

..... APPLICANT

V E R S U S

- (i) The Union of India, through General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700043
- (ii) The Divisional Personnel Officer, South Eastern Railway, Kharagapur 721307

..... RESPONDENTS

CC

No. O.A. 350/00416/2018

Date of order: 23.7.2018

Present: Hon'ble Mr. A.K. Patnaik, Judicial Member

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : None

**ORDER (Oral)**

**A.K. Patnaik, Judicial Member:**

Heard Mr. A. Chakraborty, Ld. Counsel for the applicant.

2. This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

"(a) An order do issue directing the respondents to fix the pay of the applicant in the grade pay of Rs. 2400/- with effect from 25.3.2015 and to grant arrears.

(b) An order do issue directing the respondents to refix the pension and pensionary benefits of the applicant on the basis of Grade Pay of Rs. 2400/- and to pay the arrears."

3. As prayed for by Mr. A. Chakraborty, Ld. Counsel for the applicant, that the applicant was initially appointed on 25.3.1985 in the catering department of S.E. Railway. He retired from service w.e.f. 31.1.2016. He was initially appointed in Class IV post and he retired as Helper - II under ticket No. 391 from the office of Senior Section Engineer (C&W)/SRC/S.E. Railway, Kharagpur. He was initially appointed in the catering department but due to closure of the department, he was absorbed as Helper-II under SSE (C&W)/SRC. The applicant claims that he is entitled to get the benefits of 3<sup>rd</sup> MACP w.e.f. 25.3.2015 upon completion of 30 years of service but the same has not been extended to him. He preferred a representation on 31.1.2018, which is still pending consideration.

4. Mr. Chakraborty, Ld. Counsel for the applicant submitted that the grievance of the applicant would be more or less addressed if a specific order is passed by directing the concerned authority i.e. respondent No. 2 to dispose of the representation dated 31.1.2018, within a specific time frame.

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5. Therefore, I dispose of this O.A. by directing the respondent No. 2, that if any such representation as claimed by the applicant has been preferred on 31.1.2018 and the same is still pending consideration, then the same may be considered and disposed of within a period of six weeks from the date of receipt of this order.

6. Though I have not entered into the merits of the case still then I hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken by the concerned respondent No. 2 within a further period of 6 weeks from the date of such consideration to extend the benefits of MACP and other admissible dues to the applicant. However, if in the meantime the said representation stated to have been preferred on 31.1.2018 has already been disposed of then the result thereof be communicated to the applicant within a period of 2 weeks from the date of receipt of a copy of this order.

7. With the aforesaid observation and direction, the O.A. is disposed of.

8. As prayed for by Mr. Chakraborty, Ld. Counsel a copy of this order along with paper book be transmitted to the respondent No. 2 by speed post for which Mr. Chakraborty undertakes to deposit necessary cost in the Registry by the next week.

(A.K. Patnaik)  
Judicial Member