

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

01/08/2019

O.A./260/84/2017

M.A./260/404/2019

WITH

O.A./260/176/2017

M.A./260/248/2017

M.A./260/331/2017

M.A./260/402/2019

ITEM NO:66

FOR APPLICANTS(S) Adv. : Mr. B.P. Satpathy

FOR RESPONDENTS(S) Adv.: Mr. S. Behera

L K CHANDA

-V/S-

M/O DEFENCE

| Notes of The Registry | Order of The Tribunal |
|-----------------------|---|
| | <p>Heard Ld. Counsels for the applicant and respondents.</p> <p>Applicant's counsel submitted that this applicant was one of the applicant in O.A. No.928/2013 which has been disposed of vide order dated 15.02.2019 of this Tribunal along with O.A. No.292/14, in which, it was held that although the applicant is entitled the Grade Pay of Rs.4,600/- but the excess payment that has been made on account of wrong fixation of this G.P. at Rs.4800/- cannot be recovered. Ld. Counsel for the applicant submitted that the only ground for cancellation of 7th Pay benefit of the applicant vide impugned orders at Annexure-A/10, Annexure-A/11 and Annexure-A/12 was pendency of O.A. No.928/13. Since the O.A. No.928/13 has been disposed of. Ld. Counsel for the</p> |

applicant submitted that the present O.A be disposed of with a direction to the respondents to fix the revised pay of the applicant as per the 7th Pay report in the light of the order passed in O.A. No.928/13.

Respondents' counsel submitted that he would like to obtain instruction in this matter.

In view of the submissions, we are of the view that no purpose will be served to keep this O.A. pending in view of the order dated 15.02.2019 passed in O.A. No.928/13. As per the said order, the applicant will be entitled for Grade Pay of Rs.4,600/- since the applicant was one of the applicants in O.A. No.928/13. Hence, the O.A. is disposed of at this stage with a direction to respondents to fix the revised pay as per 7th Pay Commission report taking into account the applicant's Grade Pay of Rs.4600/- as per order dated 15.02.2019 in O.A. No.928/13.

The O.A. is disposed of accordingly. No costs.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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