

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

ORDER SHEET

COURT NO. : 1

23/09/2019

O.A./260/621/2019

NAGENDRA PRASAD

-V/S-

M/O RAILWAYS

ITEM NO:13

FOR APPLICANTS(S) Adv. : MR.D.PATTNAIK

FOR RESPONDENTS(S) Adv.: MR.T.RATH

Notes of The Registry	Order of The Tribunal
	<p>Heard learned counsel for the applicant and Mr.T.Rath, learned counsel appearing on behalf of the Respondents. Learned counsel for the applicant submitted that the grievance of the applicant in this O.A. is that by virtue of order dated 25.11.2005 (A/1) passed in a disciplinary proceedings, his pay fixation order has not been correctly passed.</p> <p>Learned counsel for the respondents on the other hand submitted that the applicant should have submitted representation to the competent authority for taking a decision in the matter of wrong fixation of pay and in this case, he has submitted his representation to the General Manager. He also submitted that the application is barred by limitation.</p> <p>Regarding the competent authority, it is seen that the order at A/1 has been passed</p>

in pursuance of the orders of the Respondent No.1, i.e., General Manager as Revisionary Authority. Therefore, the applicant's representation raising grievance of wrong fixation of his pay has been filed before the Respondent No.1. Regarding delay, it is seen that the applicant has not raised any grievance prior to his representation dated 6.6.2019.

Learned counsel for the applicant submitted that the grievance of the applicant will be addressed if a direction is issued to Respondent No.1 for disposal of his representation.

In consideration of the submissions and without entering into the merit of the case including the issue of delay and taking into the fact that as submitted by applicant's counsel the grievance appears to be related to fixation of applicant's pay, this O.A. is disposed of with direction to Respondent No.1/Competent Authority to dispose of the representation dated 6.6.2019 (A/2) as per the provisions of law and pass a speaking order copy of which is to be communicated to the applicant within three months from the date of receipt of this order.

With the above observation and direction, this O.A. is disposed of at the stage of admission itself, with no order as to costs.

Free copy of this order be made over to
learned counsels for both the sides.

(GOKUL CHANDRA PATI)
MEMBER (A)

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