



**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...

**O.A. No.60/1070/2018**

**Date of decision: 28.01.2020**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).  
HON'BLE MS. NAINI JAYASEELAN, MEMBER (A).**

...

Dharam Pal, Ex. Mechanic (Printing & Building), age 62 years S/o  
Sh. Sadhu Ram, R/o Plot no.51, Politary Area, Nilokheri, Distt.  
Karnal-132001. (Group C)

**...APPLICANT**

**BY: SH. NAVEEN DARYAL, COUNSEL FOR THE APPLICANT.**

**VERSUS**

1. Union of India through Secretary, Ministry of Urban Development and Poverty Alleviation, New Delhi-110011.
2. Director of Printing, B-Wing, Nirman Bhawan, New Delhi-110011.
3. Manager, Govt. of India, Press of Nilokheri, Distt. Karnal-132001.

**...RESPONDENTS**

**BY: SH. K.K. THAKUR, COUNSEL FOR THE RESPONDENTS.**

**ORDER (Oral)**

...

**SANJEEV KAUSHIK, MEMBER (J):-**

1. By means of present O.A., the applicant has sought following directions:-
  - 8(a) Quash the order dated 06.11.2017 (Annexure A-11), passed by the Respondents is illegal, arbitrary, non-speaking as well as against the 6<sup>th</sup> CPC Rules, 2008
  - (b) Direct the respondents to grant him 3<sup>rd</sup> financial upgradation under the MACPS that would be due on 01.10.2012 (on completion of 30 years continuously regular service) in the immediate and next higher grade pay in the hierarchy of recommended revised pay band and grade pay i.e. Grade Pay of Rs.4600/- in PB-2 with 18/% interest along with all consequential benefits.



2. Today when matter came up for hearing, learned counsel for the applicant vehemently argued that in terms of order dated 23.9.2015 of this Court in O.A. No.60/01114/2014, where respondents were directed to consider claim of the applicant (herein) for grant of 3<sup>rd</sup> financial upgradation on completion of 30 years service, respondents have not decided his claim. He submitted that though in written statement, respondents have submitted that he is not entitled to benefit but since they have not passed any formal order qua his claim so they be directed to decide his claim by passing a reasoned and speaking order so that applicant can challenge the same, if order to be passed is prejudicial to rights of the applicant.
3. Learned counsel for the respondents did not utter a word.
4. In view of the above, present O.A. is disposed of with a direction to the respondents to decide claim of the applicant in terms of earlier order dated 23.9.2015 by passing a reasoned and speaking order within a period of two months from the date of receipt of a certified copy of this order. Order so passed be duly communicated to the applicant. No costs.

**(NAINI JAYASEELAN)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

Date: 28.01.2020.  
Place: Chandigarh.

'KR'