

CENTRAL ADMINISTRATIVE TRIBUNAL CHENNAI BENCH

M.A.No.58/2020 in & O.A.No.132/2020

Dated Wednesday, the 29th day of January, 2020

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

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Hon'ble Mr.T.Jacob, Administrative Member

- 1.M.Nirmala Alias Nirmala Murali
- 2.S.Ganesh Kumar
- 3.M.Suresh Chandren
- 4.S.Kasi Viswanathan
- 5.C.Chandrasekaran
- 6.K.Viswanathan
- 7.S.Ranjini Devasena
- 8.K.Ganesan

...Applicants

By Advocate M/s. Menon, Karthik, Mukundan & Neelakantan

vs.

1. Union of India, rep., by the Secretary,
Department of Revenue,
Ministry of Finance, New Delhi 110 001.

2. Chairman,
Central Board of Indirect Taxes & Customs,
North Block, New Delhi 110 001.

3. Principal Chief Commissioner of GST & Central Excise,

Zone Tamil Nadu & Puducherry,

26/1, Mahathma Gandhi Road, Chennai 600 034

...Respondents

By Advocate Mr. Rajnish Pathiyil

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

Heard. MA 58/2020 filed by the applicants for joining together to file a single OA is allowed.

2. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To direct the respondents to grant Grade Pay of Rs.5400/- in PB-2 to the applicants to pass necessary orders to extend to the present applicants, the benefit of Grade Pay of Rs.5400-PB2 upon completion of 4 years of service in the Grade Pay of Rs.4800 in PB-2 as per the dictum of the Madras High Court dated 06.09.2010 made in WP 13225 of 2010 and also the order of this Hon'ble Tribunal in OA 1524 of 2019, OA 1650 of 2019, OA 1652 of 2019 and OA 1665 of 2019 dated 10.01.2020 with all consequential benefits including arrears of pay, and also costs and pass such further or other orders as may be deemed fit and proper.”

2. All the applicants, except the first three are working as Superintendents in Trichy Commissionerate and the first three applicants are retired Superintendents of the respondent department. All the applicants are seeking the relief of grant of Rs.5400 Grade Pay upon completion of four years of service in the Grade Pay of 4800 as per the judgement of the Hon'ble High court of Madras in WP No.13225 of 2010 dated 06.09.2010 confirmed by the Hon'ble Supreme Court by order dated 10.10.2017. It is stated that based on the above cited judgement, this Tribunal has granted relief in OAs 1524, 1650, 1652 & 1665/2019 by order dated 10.01.2020.

3. When the matter came up for admission, learned counsel for the applicants would submit that the present OA is squarely covered by the earlier decision of this Tribunal in OAs 1524, 1650, 1652 & 1665/2019 by dated 10.01.2020. Since the facts are one and same and the applicants herein are similarly situated like the applicants therein, they will be satisfied if similar orders are passed in the present case also.

4. Mr.Rajnish Pathiyil, takes notice on behalf of the respondents and submits that the respondents have no objection for passing similar orders if the applicants are similarly placed like the applicants in the above said OAs.

5. In view of the above, we deem it appropriate to dispose of the OA in the following lines:

"The respondents are hereby directed to grant Non-Functional Grade in the Grade Pay of Rs.5400 (PB-2) to the applicants on completion of four years of service in the GP of Rs.4800/- as per the judgement of the Hon'ble High Court in WP No.13225 of 2010 dated 06.09.2010 confirmed by the Hon'ble Supreme Court by order dated 10.10.2017 with all consequential benefits including arrears of pay, within a period of three months from the date of receipt of a copy of this order, if the applicants are similarly placed as in OAs mentioned in Para 2 of this order. "

**(T.JACOB)
MEMBER (A)**

29.01.2020

M.T.

**(P.MADHAVAN)
MEMBER (J)**