

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 040/00302/2019

Date of Decision: 01.11.2019

THE HON'BLE MRS. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR. N. NEIHSIAL, ADMINISTRATIVE MEMBER

Sri Jivan Chandra Handique
 Aged about 56 years
 Son of Late Mahendra Nath Handique,
 Resident of Radha Gobinda Nagar, House
 No. 49, Bhupen Hazarika Path, Noonmati,
 Guwahati-20, P.S. Noonmati
 District – Kamrup (Metro), Assam

....Applicant

By Advocate(s): Sri D.K. Kotoky
 Sri B. Gogoi

-VERSUS-

1. The Union of India, represented by the Secretary to the Government of Communication Sanchar Bhawan, New Delhi.
2. The Director General of Posts, Department of Posts, Government of India, Dak Bhawan, Sansad Marg, New Delhi – 110001.
3. The Assistant Director General (PE-1) Department of Posts, Govt. of India, Dak Bhawan, Sansad Marg, New Delhi – 110001.
 Phone No. 011-23036339
4. The Chief Postmaster General, Assam Circle, Meghdoott Bhawan, Guwahati, Guwahati – 781001.

....Respondents

ORDER (ORAL)**MANJULA DAS, JUDICIAL MEMBER:**

The instant O.A. has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- “8.I) To issue direction to the respondents to fix the pay of the applicant in the scale of pay of Rs. 4500-7000 PM with effect from 01.01.1996 and to pay the consequential arrears of salaries occurred thereof with effect from 10.02.1997 and to pay all the financial benefits of the applicant as may accrue onwards on fixation of his pay in the scale of pay of Rs. 4500-7000 PM with effect from 01.01.1996.
- 8.II) To issue direction to the respondent to grant any other relief(s) as this Tribunal may deem fit and proper.”

2. Sri D. K. Kotoky, learned counsel for the applicant submitted that the applicant is an employee under the Assam Circle of the Department of Posts, Government of India and presently he is performing his duties at Guwahati holding the post of “Technical Manager (Electrical)”. The applicant initially appointed as “Technician” in the pre-revised scale of pay Rs. 260-3-300-EB-8-340-10-360-12-420-EB-480/-PM in the Guwahati Division of Assam Circle, Department of Posts, India vide Memo No. A2-1/Pt-II/88 dated 02.08.1989. On revision of pay, as per “Fourth Central Pay Commission” the scale of pay drawn by the applicant was raised to the scale of Rs. 1200-30-1560-EB-40-2030 PM and its next higher scale

was recommended as Rs. 1400-40-1800-EB-50-2300 PM. Thereafter, as per revision of pay as recommended by the "Fifth Central Pay Commission" the scale of pay of Rs. 1200-30-1560-EB-40-2030 PM drawn by the applicant was revised in the scale of pay of Rs. 4000-100-6000 PM and "Fifth Central Pay Commission" recommended the next higher scale of pay for the said post as Rs. 5000-150-8000PM corresponding to the scale of pay of Rs. 1400-40-1800-EB-50-2300PM granted under Fourth Pay Commission.

3. According to learned counsel, being entitled for financial upgradation under "Assured Career Progression Scheme" to the next higher scale of pay of Rs. 5000-150-8000PM the applicant made several representations on 10.02.2000, 20.11.2001, 02.02.2002, 09.11.2011, 23.06.2017, 20.12.2017 & 28.06.2018. But the said representations had not been considered by the respondents authority.

4. We have heard learned counsel for the applicant, perused the papers and documents produced before us. Keeping in view of the above representations pending, without going into the merit of the case as well as without issuing notice to the respondents, we found that, justice will be made if we direct the respondents authority to consider latest pending representations dated 20.12.2017 & 28.06.2018 made by the applicant before the Chief Post

Master General i.e. respondent No. 4 and dispose of the same by passing a reasoned and speaking order within a reasonable period of One(1) months from the date of receipt of copy of this order. Ordered accordingly.

5. Liberty is granted to the applicant to approach this Tribunal if he is not satisfied with the decision of respondents authority.

6. With the above direction, O.A. stands disposed of at the admission stage. No order as to costs.

N. NEIHSIAL
MEMBER (A)

MANJULA DAS
MEMBER (J)

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