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**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.**

O.A.210/0038/2020

Date of decision : January 09, 2020.

**Coram: Dr.Bhagwan Sahai, Member (Administrative)
R.N. Singh, Member (Judicial).**

Shri Balwant Ganpati Shinde,
Postal Assistant (Retired),
Post Office Islampur,
Dist.Sangli - 415 409.
Residing at-
At post Ukhalu (Bhisiewadi),
Tal. Shauwad,
Dist. Kolhapur - 416 214. .. Applicant.

(By Advocate Shri G.B. Kamdi).

Versus

1. Union of India, through the Secretary,
Department of Posts,
Ministry of Communication & IT,
Dak Bhawan, Sansad Marg,
New Delhi - 110 001.
2. The Chief Post Master General,
Maharashtra Circle,
G.P.O. Building,
Mumbai - 400 001.
3. The Sr. Superintendent,
Of Post Offices Sangli Division,
Sangli - 416 416. .. Respondents.

Order (Oral)
Per : R.N. Singh, Member (J).

Applicant who is stated to have retired as
Postal Assistant from the services of the
Respondents has filed the present O.A. under Section
19 of the Administrative Tribunals Act, 1985 seeking
the following reliefs:-

"8(a). To allow the Original Application.

(b). This Hon'ble Tribunal will be pleased to call for record of the case or any other relevant records and after going through its legality and propriety be pleased to direct the Respondent to consider the case of Applicant for 3rd MACP after completion of 30 years service in the cadre of Postal Assistant, along with all consequential benefits.

(c). To pass any other just and appropriate orders this Hon'ble Tribunal may deem fit, proper and necessary, the facts and circumstances of the case.

(d). The cost of this original application please be provided."

2. The brief facts as contended by the learned counsel appearing for the applicant ~~is~~ that the applicant was appointed as Postman under the respondents in the year 1977 and on passing the competitive examination for promotion, he was promoted to the post of Postal Assistant in the year 1981 and since then, he was stagnating on the same post, however, the applicant has not been accorded the benefits of financial upgradation under the ACP/MACP Scheme except one financial upgradation under OTBP Scheme.

3. The learned counsel for the applicant submits that the applicant is entitled for grant of financial upgradation on completion of the requisite

service period under the ACP/MACP Scheme ignoring his promotion to the post of Postal Assistant on passing competitive examination therefor.

4. The learned counsel for the applicant submits that for redressal of his grievances, the applicant has preferred a representation dt. 16.02.2018 (Annexure A-6), however, the same has not been considered and responded to by the respondents till date.

5. The learned counsel for the applicant submits that the applicant shall be satisfied if the present OA is disposed of with directions to the respondents to consider the aforesaid representation and dispose of the same in a time bound manner.

6. We are of the considered view that if such request of the learned counsel for the applicant is accepted, no prejudice is likely to be caused to the respondents.

7. In view of the aforesaid facts and circumstances, without going into the merit of the claim of the applicant as raised in the present OA, the OA is disposed of with directions to the respondents to consider and dispose of the aforesaid representation of the applicant as expeditiously as possible and in any case within 12 weeks of receipt of a certified copy of the present order.

8. The OA is disposed of in the aforesaid terms. However, in the facts and circumstances, no costs.

(R.N. Singh)
Member (J)

(Dr.Bhagwan Sahai)
Member (A).

Ram.

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16/01/20