

LIB

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

ORIGINAL APPLICATION No.210/887/2019

Dated this Tuesday, the 31st day of December, 2019

**CORAM: R.VIJAYKUMAR, MEMBER (A)
R.N.SINGH, MEMBER (J)**

1. Nilkanth Genba Londhe, Age 70 years,
Occ: Retired Sub Post Master,
Residing at 110, B, Raviwar Peth, Satara,
Maharashtra 415 001.
2. Dattatraya Namdeo Sindkar, Age : 61 years,
Occ: Retired Sub Post Master,
Residing at 51, Somwar Peth, Omkar Apartments,
First Floor, Flat No.B-2, Satara, Maharashtra 415 002.
3. Arvind Yashwash Salve, Age : 65,
Occ. Retired A.D. Post Master,
504, Mauli Apartment, Plot No.113/114,
Sector 27, Nerul (East), Navi Mumbai 400 706.
4. Swati Ashok Athavale, Age : 58 years,
Occ: Retired Ass. Post Master, 15, Ashirwad,
Sawant Colony, Godoli, Satara, Maharashtra 415 001.
5. Sunil Purushottam Jadhav, Age : 58 years,
Occ: Retired Postal Assistant, Plot No.10, Hamdabaj,
Post : Kondave, Taluka and District Satara 415 002.
6. Amin @ Amit Shankar Pradhan, Age : 63,
Occ. : Retired Postal Assistant,
Residing at D-1307, Three Jwells, Tilekar Nagar,
Kondva (BK), Pune 411 048. - Applicants
(By Advocate Shri H.M.Inamdar)

Versus

1. The Union of India, (Through the Secretary),
Ministry of Communication, Department of Post,
Dak Bhawan, Sansad Marg, New Delhi 110 001.
2. Director General, Department of Post,
Dak Bhawan, Sansad Marg, New Delhi 110 001.
3. Chief Post Master General, Maharashtra and Goa
Circle, Mumbai GPO, Mumbai 400 001.- Respondents

ORAL ORDER**Per : R.N.Singh, Member (J)**

Heard the learned counsel for the applicant.

2. This application has been filed on 06.12.2019 under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“8.A. This Hon'ble Tribunal be pleased to hold and declare that the Applicants are entitle to receive the benefits of Modified Assured Progression Scheme with effect from 01st January, 2006 together with all consequential benefits.

8.B. This Hon'ble Tribunal be pleased to direct the Respondents to grant the benefits of Modified Assured Progression Scheme to the Applicants with effect from 01st January 2006 together with all consequential benefits within a stipulated period.

8.C. Such other and further just and equitable order be passed as this Hon'ble Tribunal may deem fit and proper.”

3. The applicant has cited the orders of the Ministry of Finance dated dated 29.08.2008 (Annexure A-1) introducing the MACP Scheme as recommended by the VI Central Pay Commission and sought application of its benefit from 01.01.2006 instead of the date specified therein. He has thereafter filed a representation dated 27.08.2018 (Annexure A-3) to the respondents requesting such a benefit for which there has been no response.

4. At the time of admission, heard the learned counsel for the applicant on the issue and pleas made by the applicant to the respondents.

5. The learned counsel for the applicant argues that though the said representation has been responded to by the respondents vide their letter dated 23.04.2019 (Annexure A-4) and 19.11.2019 (Annexure A-5). However, the same has not been considered by the Competent Authority i.e. the respondents Nos.1 and 2. On perusal of the said letters/orders dated 23.04.2019 and 19.11.2019, it transpires that the same has not been considered by the learned counsel for the applicant and he is right in saying so.

6. In view of the aforesaid, without going into the legal merits of the claim of the applicant, the said OA is disposed of with a direction to the respondent No.2 to consider the aforesaid representation of the applicants and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible within a period of three months.

7. In view of the aforesaid, MA No.825/2019 also stands disposed of. No costs.

(R.N.Singh)
Member (Judicial)

(R.Vijaykumar)
Member (Administrative)

kmg*

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02/01/2020

