



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**O.A. No. 3651/2015  
with  
M.A. No. 3302/2015**

**This the 7<sup>th</sup> day of January, 2020**

**Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)  
Hon'ble Mr. Pradeep Kumar, Member (A)**

1. **ANAND MOHAN BHATIA,**  
S/o Sh. Ved Mitter Bhatia,  
Aged about 55 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o L - II/38A, New Mahavir Nagar,  
New Delhi - 110018
2. **ANJU KUMARI,**  
D/o S. N. Singh,  
Aged about 31 years,  
working as Assistant Audit Officer, in the office of  
Principle Director of Audit Scientific Department,  
New Delhi,  
R/o 20/445, Kalyan Puri,  
Delhi – 110091
3. **M. VICTOR AMALANATHAN,**  
S/o Late M.A. Raj,  
Aged about 37 years,  
working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o G - 190, Nauroji Nagar,  
New Delhi - 110029
4. **SUDHIR KUMAR,**  
S/o Shri Vishunath Prasad Sinha,  
Aged about 36 years,  
working as Assistant Audit Officer, in the office of  
Principal Director of Audit Scientific Department,  
New Delhi  
R/o Flat No.60, RPS Mansarovar Park,  
DDA Flat, Shahdara, Delhi – 110093



5. **KAMAL KANT ADITYA,**  
 S/o S C Aditya,  
 Aged about 40 years,  
 working as Assistant Audit Officer, in the office of Principal Director of Audit Scientific Departments, New Delhi,  
 R/o 607, Minto Road Hostel, Minto Road, Delhi - 110002
6. **SUMITA SATIJA,**  
 D/o Late Shri Des Raj,  
 Aged about 39 years,  
 working as Assistant Audit Officer, in the office of Principal Director of Audit Scientific Department, New Delhi,  
 R/o 47, Bank Enclave, Laxmi Nagar, Delhi - 110092
7. **DEEPA V.P.,**  
 D/o Sivanandan V.P.,  
 Aged about 32 years,  
 working as Assistant Audit Officer, in the office of Principal Director of Audit Scientific Department, New Delhi,  
 R/o 19/1002, Lodhi Colony, New Delhi - 110003
8. **PRIYANKA MOHIL,**  
 D/o Sh. S.K. Mohil,  
 Aged about 37 years,  
 working as Assistant Audit Officer, in the office of Principal Director of Audit Scientific Department, New Delhi,  
 R/o B - 3B, 17-B, Janakpuri, New Delhi - 110058
9. **VIKRAM NAGPAL,**  
 S/o Sh. Shyam Lal Nagpal,  
 Aged about 43 years,  
 working as Assistant Audit Officer, in the office of Principal Director of Audit Scientific Department, New Delhi,  
 R/o I -2/54, Sector - 16, Rohini, Delhi - 110085
10. **DEEPANJALI SINGH,**  
 D/o Sh. Narain Singh,  
 Aged about 49 years,



Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,  
R/0 29, Model Basti,  
New Delhi - 110005

11. **KARUNA CHAUDHARY**,  
D/o Surendra Kumar Choudhary,  
Aged about 34 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries,  
New Delhi,  
R/o C - 004, Saffron, Noho Scottish Garden,  
Indrapuram, Ghaziabad
12. **SANGITA SHARMA**,  
D/o Shri Krishan Parkash,  
Aged about 51 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,  
R/o C- 86 A, South Ganesh Nagar,  
Delhi - 110092
13. **SUNITA SINGH RAWAT**,  
D/o Azad Singh,  
Aged about 36 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,  
R/o M - 75, Hari Nagar, Clock Tower,  
New Delhi - 110064
14. **SHUCHI SHARMA**,  
D/o Ram Gopal Sharma,  
Aged about 33 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,  
R/o B - 44, Mandakini Apartment,  
Pitampura, Delhi – 110034
15. **VIJAY KUMAR**,  
S/o Late Sh. Pala Ram,  
Aged about 48 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries,



16. New Delhi,  
R/o 171 - F, Aram Bagh, Pahar Ganj,  
New Delhi - 110055
- MUKTA,**  
D/o S.N. Singh,  
Aged about 29 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries,  
New Delhi,  
R/o A - 28/141, Street No.4,  
East Maujpur, Delhi - 110053
17. **KRISHAN KUMAR,**  
S/o Hari Chand,  
Aged about 36 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o E - 151, Tagore Garden Extension,  
New Delhi - 110027
18. **SUDHIR DUTT SHARMA,**  
S/o Late Shri S.D. Sharma,  
Aged about 41 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 917, Sector - 4, R.K. Puram,  
New Delhi - 110022
19. **GUNJESHWAR P. KARN,**  
S/o Late Shri M.L. Das,  
Aged about 42 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 401/7, Pushp Vihar,  
New Delhi - 110017
20. **VIPIN BISHT,**  
S/o Sh. Hukam Singh Bisht,  
Aged about 36 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 26, Type -II, North -West,  
Moti Bagh, New Delhi - 110021



21. **MARGRET SUKRITA KUJUR,**  
 S/o Yacub Bara,  
 Aged about 46 years,  
 Working as Assistant Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o MCF - 1483, Gali No. 49,  
 Sector -23, Sanjay Colony,  
 Faridabad - 121005, Haryana
22. **AWDHESH KUMAR YADAV,**  
 S/o Sh. Gobari Prasad Yadav,  
 Aged about 38 years,  
 Working as Assistant Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o 63 - N, CPWD Colony, Vasant Vihar,  
 New Delhi – 110057
23. **ASHOK KUMAR VERMA,**  
 S/o Shankar Lal Verma,  
 Aged about 34 years,  
 Working as Assistant Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o A - 781, Nr. Shahid Uddhm Singh School,  
 Shastri Nagar, New Delhi
24. **PREETJOT KAUR,**  
 D/o Sh. K. Ch. Salyanarayana,  
 Aged about 39 years,  
 Working as Assistant Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o B - 2, 215, Dev Nagar,  
 New Delhi
25. **NEERAJ KUMAR GUPTA,**  
 S/o Jay Dev Prasad Gupta,  
 Aged about 35 years,  
 Working as Assistant Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o 1331, 3<sup>rd</sup> Floor, Gali No. 8,  
 Govindpuri, Kalka Ji,  
 New Delhi - 110019



26. **DHIRAJ KUMAR GUPTA**,  
S/o Brij Pal Prasad Gupta,  
Aged about 38 years,  
Working as AAO in the office of,  
He Principal Director of Audit (SD), New Delhi,  
R/o G- 203, Preet Vihar,  
New Delhi
27. **VIJAY KUMAR**,  
S/o Gokal Chand,  
Aged about 31 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 19/1002, Lodhi Colony,  
New Delhi – 110003
28. **BIRANDER SINGH**,  
S/o Late Shri Bharat Singh,  
Aged about 47 years,  
Working as Assistant Audit Officer, in the office of  
Principal Director of Audit Scientific Departments,  
New Delhi,  
R/o RZ 31, Roshan Garden, Chara Mandi,  
Najafgarh, Delhi – 110043
29. **SHAH NAWAZ AHMAD**,  
S/o Md. Rahmatullah,  
Aged about 45 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o F - 136, Shahin Bagh,  
A.F. Enclave Part -II, Jamia Nagar,  
New Delhi - 110025
30. **HANS RAJ SHARMA**,  
S/o Sh. Ved Prakash,  
Aged about 48 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o H. No. 556/5, Patel Nagar,  
Gurgaon, Haryana
31. **RAJESH KALYAN**,  
S/o Shri Raghbir Singh,  
Aged about 41 years,



Working as Assistant Audit Officer, in the office of Principal Director of Audit Scientific Departments, New Delhi,  
R/o House No. 348/12, Krishna Colony,  
Gurgaon, Haryana - 122001

32. **VRIJESH KUMAR**,  
S/o Chander Dev,  
Aged about 29 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,  
R/o WB/ 58B, 2<sup>nd</sup> Floor, Gali No.-3,  
Shakarpur, Delhi - 110092
33. **PRASHANT**,  
S/o Satyendra Bahadur Singh,  
Aged about 32 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,  
R/o 178, 3<sup>rd</sup> Floor, Mukherjee Nagar,  
Delhi - 110009
34. **NAVEEN GUPTA**,  
S/o Shri Suresh Chand Gupta,  
Aged about 41 years,  
Working as Assistant Audit Officer, in the office of Principal Director of Audit Scientific Departments, New Delhi,  
R/o E-21/270, Sector -3,  
Rohini, Delhi - 110085
35. **SANDHYA R. NAIR**,  
D/o Shri Gopinathan Nair,  
Aged about 42 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,  
R/o B - 246, G - II, Ramprastha,  
Ghaziabad - 201011
36. **RADHA CHAUHAN**,  
S/o Sh. N.S. Pundir,  
Aged about 44 years,  
Working as Assistant Audit Officer, in the office of Director General of Audit Economic & Service Ministries, New Delhi,

R/o 170 - A, Pocket F, Mayur Vihar,  
Phase - II, Delhi



**RAJENDER KUMAR,**  
S/o Sh. Prahlad,  
Aged about 50 years,  
Working as Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 536/594, Sadh Nagar,, Gali No.24,  
Palam, New Delhi

38. **R. RENUKA,**  
D/o Sh. M.S. Radhakrishnan,  
Aged about 47 years,  
Working as Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 014, Vinayak Mahagun Villa,  
Sector -4, Vishali,  
Ghaziabad - 201019
39. **RAVINDER N. KUMAR,**  
S/o Late K.L. Kumar,  
Aged about 49 years,  
Working as Assistant Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 55, Sector - 12, RK Puram,  
New Delhi - 110022
40. **SARITA,**  
D/o Sh. Ramphool,  
Aged about 29 years,  
Working as Asst. Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o D-3/17, Dayalpur,  
Delhi - 110094
41. **LALIT KUMAR NIMBAL,**  
S/o Late Sh. Bhagwati Prasad,  
Aged about 40 years,  
Working as Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o Flat No. 467, Block 12, Sector 1,  
Gole Market, New Delhi - 110001



42. **SK. ASGAR ALI,**  
 S/o Sk Hasibul Rahaman,  
 Aged about 46 years,  
 Working as Audit Officer, in the office of  
 Principal Director of Audit, Scientific Departments,  
 New Delhi,  
 R/o C - 85b, Anand Vihar,  
 Uttam Nagar West, New Delhi – 110059
43. **RAMESH KUMAR,**  
 S/o Sh. Prem Chand,  
 Aged about 54 years,  
 Working as Audit Officer, in the office of  
 Principal Director of Audit, Scientific Departments,  
 New Delhi,  
 R/o H. No. 75/ MS/ Type - III,  
 1<sup>st</sup> Floor, Timar Pur,  
 Delhi - 110054
44. **SINDHU P RAJU,**  
 D/o Shri T G Sidhardhan,  
 Aged about 43 years,  
 Working as Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o G - 79/ G2, G - Block, Dilshad Garden,  
 Delhi - 110095
45. **NEERAJ KUMAR,**  
 S/o Sh. Satyapal,  
 Aged about 35 years,  
 Working as Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o RZ-H-74, Mahavir Enclave -I,  
 P.O.: Palam, New Delhi - 110045
46. **AHMED FEROZE,**  
 S/o Sh. L.R. Siddiqui,  
 Aged about 52 years,  
 Working as Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o #63/1, Gali No. 20, Zakir Nagar,  
 Okhla, New Delhi – 110025
47. **KULDEEP NEGI,**  
 S/o Shri B.S. Negi,



Aged about 49 years,  
 Working as Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o 1919, Laxmibai Nagar,  
 New Delhi-110023

48. **DHRUV SINGH RAWAT**,  
 S/o Raghunath Singh Rawat,  
 Aged about 37 years,  
 Working as Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,  
 R/o M-75, Hari Nagar, Clock Tower,  
 New Delhi-110064.
49. **RAKESH KUMAR**,  
 S/o Sh. Pratap Singh,  
 Aged about 43 years,  
 Working as Audit Officer, in the office of  
 Principal Director of Audit Scientific Departments,  
 New Delhi,  
 R/o 2/329, Subhash Nagar,  
 New Delhi-110027
50. **GAUTAM GAHLAUT**,  
 S/o Late Sh. Dinesh Pratap Singh,  
 Aged about 38 years,  
 Working as Audit Officer, in the office of  
 Principal Director of Audit Scientific Departments,  
 New Delhi,  
 R/o 25 D, Pocket – C, Sidhartha Extension,  
 New Delhi-110014
51. **RAJESH KUMAR**,  
 S/o Late Shri Aditya Ram,  
 Aged about 44 years,  
 Working as Audit Officer, in the office of  
 Principal Director of Audit Scientific Departments,  
 New Delhi,  
 R/o Z-87, Sector-12, Noida,  
 Uttar Pradesh
52. **SUDHIR KANT SHARMA**  
 S/o Sh. M.L. Sharma,  
 Aged about 47 years,  
 Working as Audit Officer, in the office of  
 Director General of Audit Economic & Service  
 Ministries, New Delhi,



R/o K-243, Kangra Niketan,  
Vikas Puri, New Delhi-110018

**RAJENDER PRASAD,**  
S/o Sh. Khazan Singh,  
Aged about 54 years,  
Working as Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o Opp. Dilip Park, Phaprona Basti,  
Lower Bazar, Modi Nagar,  
Distt. Ghaziabad, UP

54. **UMAN GROVER,**  
S/o Late Sh. Devinder Bakshi,  
Aged about 51,  
Working as Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o F- 72, Nouroji Nagar,  
Delhi - 110029
55. **ANITA BAHAL,**  
D/o Shri B P Thapar,  
Aged about 50 years,  
Working as Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o B - 95, Ashok Vihar Phase - I, New Delhi - 110052
56. **GIRISH SHARMA,**  
S/o Late Shri M.D. Sharma,  
Aged about 49 years,  
Working as Audit Officer, in the office of  
Director General of Audit Economic & Service  
Ministries, New Delhi,  
R/o 1179, Sector 7, RK Puram, New Delhi - 110022
57. **VIJAY KUMAR,**  
S/o Shri Ram Niwas,  
Aged about 40 years,  
Working as DD (Finance), in the office of ESIC,  
RO Dehradun ,  
Earlier working as AAO in the office of the,  
Director General of Audit Economic & Service  
Ministries, New Delhi

... Applicants

(By Advocate: Ms. Sumita Hazarika)



## VERSUS

1. **THE DIRECTOR GENERAL OF AUDIT  
ECONOMIC AND SERVICE MINISTRIES,**  
AGCR Building, IP Estate,  
New Delhi- 110002
2. **PRINCIPAL DIRECTOR OF AUDIT,**  
Scientific Departments,  
DACR Building, IP Estate,  
New Delhi – 110002
3. **THE COMPTROLLER & AUDITOR GENERAL  
OF INDIA**  
Pocket 9, Deen Dayal Upadhyaya Marg,  
New Delhi  
... Respondents

(By Advocate:Ms. Priya Barua for Sh. Gaurang Kanth)

### **ORDER (Oral)**

#### **Hon'ble Mr. Pradeep Kumar, Member (A):**

Ms. Sumita Hazarika, learned counsel appeared on behalf of the applicants. Ms. Priya Barua appeared as proxy to Sh. Gaurang Kanth, learned counsel for the respondents.

2. Learned proxy counsel for the respondents brought out that the applicants, herein, are aggrieved as their juniors, when they were granted MACP benefit, started getting higher pay as compared to the applicants who are seniors. The respondents also drew attention to an order passed by the Principal Bench of



this Tribunal, in OA No. 4465/2014 on 20.08.2019, which has dealt with exactly the same issue.

3. Learned proxy counsel for respondents also fairly pointed out that this matter is presently pending adjudication before Hon'ble Apex Court in SLP No. 14918-19/2016 and batch. She also pleaded that this OA can also be disposed of in terms of the order passed in OA No. 4465/2014.

4. Matter has been heard.

5. The relevant observations about the grievances and the operative part of the judgement in OA No. 4465/2014 dated 20.08.2019 is reproduced below:-

*“5. As a result of extension of benefit of MACP Scheme, some of the Senior Accountants and Auditors are put in the grade pay of Rs. 5400/- The seniors to such employees who did not have the occasion to avail the benefit of MACP either on account of their having got promotion or other reasons, are feeling aggrieved. This very aspect is under consideration before the Hon'ble Supreme Court. The question, as to whether, an employee can seek parity with his junior, who has been extended the benefit of MACP Scheme was dealt with by the Tribunal and High Courts earlier and, as of now, it is pending adjudication in SLP (C) Nos. 14918-19/2016. We are of the view that no useful purpose would be served by the keeping the O.A. pending or by issuing directions at this stage.*

*6. We, therefore, close the O.A., leaving it open to the applicants to pursue the remedies, depending upon the outcome of SLP (C) Nos. 14918-19/2016 and other connected matters. The fresh O.A., if any, filed after the adjudication of the matter before the Hon'ble Supreme Court shall be treated as continuation of the*



*prevalent O.A. Pending M.A.s, if any, shall stand disposed of. There shall be no order as to costs.*

6. In view of the foregoing, the instant OA is also disposed of in terms of order passed in OA No. 4465/2014 (para 5 supra). Pending MA is also disposed of accordingly.
7. No order as to costs.

**(Pradeep Kumar)**  
**Member (A)**

/akshaya/

**(Justice Vijay Lakshmi)**  
**Member (J)**