



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

**O.A. No. 4665/2015
with
M.A. No. 4356/2015**

This the 7thday of January, 2020

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

1. Mrs. Rinkoo Ranjan,
w/o Dr. Mirtunjay Kumar,
Aged about 38 years,
R/o A-727, Gaur Green Avenue, Abhay Khand-II,
Indirapuram, Ghaziabad (U.P) and working as
Occupational Therapist at Safdarjung Hospital,
New Delhi.
2. Sh. Naresh Tejwani,
s/o Sh. K.L. Tejwani,
Aged about 35 years,
R/o B-6/Type III, SJH, Staff Quarters, West
Kidwai Nagar, New Delhi and working as
Occupational Therapist at Safdarjung Hospital,
New Delhi.

... Applicants

(By Advocate: Sh. S.S. Tiwari)

VERSUS

1. Union of India,
through its Secretary,
M/o Health & Family Welfare,
Nirman Bhawan, New Delhi.
2. Secretary,
Depart. Of Personnel & Administrative Reforms,
M/o Personnel, Public
Grievances & Pensions, New Delhi.
North Block, New Delhi.



3. Medical Superintendent,
Safderjung Hospital,
New Delhi.

... Respondents

(By Advocate: Sh. Rajinder Nischal)

ORDER (Oral)

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

Sh. S.S. Tiwari, learned counsel appeared on behalf of the applicants. Sh. Rajinder Nischal, learned counsel appeared on behalf of the respondents.

2. Learned counsel for the applicants mentioned that the instant grievance is relating to MACP benefit.

It needs to be noted here that as per ACP policy directives, the financial upgradation was to be given in the pay scale applicable to the next higher post as per departmental hierarchy. As against this, the MACP policy directives specified that the financial upgradation is to be given in the next hierarchy of pay scales, which is very distinct from ACP.

3. The applicants in the instant OA, have sought MACP benefit also to be given to the pay scale applicable for the next higher post as per departmental hierarchy.



4. Learned counsel for the applicants fairly mentioned that exactly this issue is pending adjudication before Hon'ble Apex Court. He pleaded that the present OA can be disposed for action by both parties in terms of the decision of Hon'ble Apex Court.

5. Matter has been heard.

6. Since the issue raised in the instant OA is pending adjudication before Hon'ble Apex Court, the present OA is disposed of with direction to the respective parties to take action in terms of the decision as given by Hon'ble Apex Court. Pending MA is also disposed of accordingly.

7. No order as to costs.

(Pradeep Kumar)
Member (A)

/akshaya/

(Justice Vijay Lakshmi)
Member (J)