

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

**O.A. No.2223/2020
MA No.198/2021**



This the 25th day of January, 2021

(Through Video Conferencing)

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Raja Ji Punjabi
Instrument Mechanic Gp 'C' Post
S/o Late Shri Mohan Lal Punjabi
R/o P-56/C Kabul Lines
Delhi Cantt. – 110 010. ... Applicant

(through Shri B. L. Wanchoo, Advocate)

Versus

1. Union of India
Through
Secretary Ministry of Defence
South Block, New Delhi – 110 001.
2. Director General Ordnance Services
MGO Branch
Sena Bhawan
New Delhi – 110 001.
3. Principal Controller of Defence Accounts
Western Command
Chandigarh.
4. Local Audit Officer
Central Vehicle Depot
Delhi Cantt. – 110 010. ... Respondents

(through Shri S. N. Verma)

ORDER (Oral)**Hon'ble Mr. R.N. Singh, Member (A):**

In the present OA, the applicant has raised his grievance that though he is entitled for grant of 3rd MACP on completion of 30 years of service in the year 2017 and the Central Vehicle Depot, Ministry of Finance, under which the applicant has been working has prepared the pay bill, the respondents have not granted the said benefits probably in view of the impugned orders dated 17.9.2020 and 20.8.2020.

2. We have heard the learned counsel for the parties and we have perused the pleadings on record. The impugned communication dated 17.9.2020 is admittedly a forwarding letter from LAO, Local Audit Office, (Central Vehicle Depot), Delhi Cantt.-110010 to the Commandant, CVD, Delhi Cantt-110010 in respect of letter dated 20.8.2020. The impugned communication dated 20.8.2020 is admittedly a clarification from ACDA (Pay), Principal Controller of Defence Account (Western Command), Chandigarh to the Local Audit Officer, Local Audit Office, Central Vehicle Depot, Delhi Cantt-110010.

3. The learned counsel for the applicant submits that the applicant has made a representation dated 18.9.2020 to the Personnel Officer (Civ), CVD, Delhi Cantt-110010 (Annexure A-7). However, till date no final decision of the competent authority has been communicated to the applicant thereon such representation.

4. Issue notice. Shri S.N. Verma, learned counsel for respondents, who appears on advance service, accepts notice. He submits that he needs three weeks' time to file counter reply.



5. We have heard the learned counsels for the parties. We are of the considered view that in the present OA, no final decision of the competent authority is under challenge. The above impugned communications are admittedly internal communication of the Respondents.

6. Shri Wanchoo, learned counsel for the applicant, submits that in the impugned internal communication dated 20.8.2020, the respondents have wrongly interpreted the provisions of IHQ MoD letters dated 14.12.2006 and 14.6.2010. He submits that the applicant shall be satisfied if at the present stage itself, the OA is disposed of with direction to the respondents to consider the claim of the applicant as made in the aforesaid representation dated 18.9.2020 (Annexure A-7) and to dispose of the said representation in a time bound manner.

7. 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.

8. In view of the aforesaid, without going into the merit of the claim of the applicant, the present OA is disposed of with direction to the respondents to consider the applicant's

aforesaid representation dated 18.9.2020 (Annexure A-7) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within eight weeks of receipt of a copy of this Order.



9. The OA is disposed of in the aforesaid terms. Pending MA also stands disposed of accordingly. No costs.

(Mohd. Jamshed)
Member (A)

(R. N. Singh)
Member (J)

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