

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

**OA No.1095/2020**

Today this the 19<sup>th</sup> day of August, 2020

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Punam Gupta, Counsellor in Charge (Date of Birth 20.02.1962),

W/o Dr. Vinod Kumar Gupta

House No.2C-11, Sector-3, Rohini, Delhi-110085.

2. Poonam Gupta

Education and Vocational Guidance Counsellor  
(EVGC) (Date of Birth 04.02.1961)

W/o Karandeep Gupta

WZ-106/81, Rajouri Garden Extension  
New Delhi-110027.

3. Poonam Gaur (Retd.)

Education and Vocational Guidance Counsellor  
(EVGC) (Date of Birth 05.09.1959)

D/o B.C. Gaur, B-6/F-1, Ramprastha Colony  
Ghaziabad – 201011.

4. Narinder Kaur

Education and Vocational Guidance Counsellor  
(EVGC) (Date of Birth 04.03.1962)

C-153, Nirman Vihar  
Delhi-110092.

5. Madhu Sethi

Counsellor in charge (Date of Birth: 07.03.1960)

W/o Ravindra N. Sethi

F-13, Sarita Vihar  
New Delhi-110076.

6. Sangeeta Gupta  
 Education and Vocational Guidance Counsellor  
 (EVGC) (Date of Birth 26.10.1961)  
 W/o Pradeep Gupta  
 96, 1<sup>st</sup> Floor, Sreshtha Vihar  
 New Delhi-110092.

7. Mithilesh Aggarwal  
 Counsellor in charge (Date of Birth: 11.05.1961)  
 W/o Rakesh Kumar Aggarwal  
 133, Sharda Niketan New Delhi-110034.

8. Minoo Sharma  
 Education and Vocational Guidance Counsellor  
 (EVGC) (Date of Birth ..)  
 W/o Atul Sharma  
 C-5, Hari Nagar, Clock Tower  
 Near D.D.U. Hospital  
 New Delhi-110064.

9. Utpaula Bhattacharaya  
 Education and Vocational Guidance Counsellor  
 (EVGC) (Date of Birth 14.12.1963)  
 W/o Alope Bhattacharya  
 EC-305, Maya Enclave  
 New Delhi-110064.

10. Sultan Singh  
 Counsellor in Charge (Date of Birth: 01.09.1959)  
 B-62/1, Gali No.3, Shiv Par  
 Nagloi, New Delhi-110041.

...Applicants

(By Advocate: Mr. Joel, Counsel for the Applicants)

Vs

1. Government of NCT Delhi  
Through its Principal Secretary (Education)  
Old Secretariat, Delhi-110054.

2. Director Education  
Government of NCT of Delhi  
Directorate of Education (E-II Branch)  
Old Secretariat, Delhi-110054.

3. Assistant Director of Education (GOC)  
Government of NCT of Delhi  
Directorate of Education (E-II Branch)  
Old Secretariat, Delhi-110054.

4. Administrative Officer (GOC)  
Government of NCT of Delhi  
Directorate of Education (B-II Branch)  
Old Secretariat, Delhi-110054.

...Respondents

(By Advocate:Mr.Avtar Singh Chauhan, Counsel for Respondents)

### **ORDER (Oral)**

**Justice L. Narasimha Reddy, Chairman**

This OA is filed challenging the order dated 24.09.2019 through which the respondents denied the applicants the benefit of third financial upgradation under the MACP Scheme.

2. On perusal of the entire record, we find that it is bereft of the relevant particulars. The extension of benefit under the MACP is not automatic. Much would depend upon the stages through which the concerned employee has passed through or the benefits they has acquired. When the same is pointed out, learned counsel for the applicants sought permission of the Tribunal to withdraw the OA without prejudice to the rights of the applicants to pursue the remedies before the authorities or to approach this Tribunal.

3. Permission is accorded. The OA is dismissed as withdrawn, leaving it open to the applicants to pursue their remedies, in accordance with law. No costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

/jyoti/vandana/sunil/