



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/426/2020 Date of decision: 10.7.2020

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. AJANTA DAYALAN, MEMBER(A).**

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Rajesh Sharma, son of Sh. Om Parkash Sharma, age 53 years, working as Superintendent (Group B Gazetted), presently posted in the Customs Preventive Station, Bhikhiwind, Distt. Taran Tarn under the Principal Commissioner of Central Excise & GST (Cadre Controlling Authority), Good and Service Tax Commissionerate Chandigarh, Central Revenue Building, Plot No.19, Sector-17, Chandigarh 17, Chandigarh-160017.

...APPLICANT

BY: SH. PANKAJ MOHAN KANSAL, COUNSEL FOR THE APPLICANT.

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, North Block, New Delhi-110019.
2. The Central Board of Indirect Taxes and Customs, Ministry of Finance, Department of Revenue, New Delhi through its Chairman, North Block, New Delhi-110019.
3. The Principal Commissioner of Central Excise & GST (Cadre Controlling Authority), Good and Service Tax Commissionerate Chandigarh, Central Revenue Building, Plot No.19, Sector-17-C, Chandigarh-160017.

...RESPONDENTS



ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

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1. Heard via Video-Conferencing during ongoing Covid-19 pandemic.
2. Prayer in this O.A. is to direct the respondents to decide representation dated 03.1.2020 (Annexure A-1) of the applicant in the light of order dated 04.11.2015, passed by this Court in a number of O.As leading case being that of **Munish Kumar & Ors. vs. UOI & Ors.** (O.A. No.60/1044/2014) (Annexure A-3), for grant of non-functional Grade pay of Rs.5400/- on completion of 4 years of service.
3. Learned counsel for the applicant argued that this Court has already taken a view and disposed of a number of O.As based upon judgment of Madras High Court, against which SLP has also been dismissed. But instead of granting benefit to the applicant, as has been allowed to other similarly placed persons, he was firstly forced to file representation and then this O.A. Thus, he prayed that applicant will be satisfied if a direction is issued to the respondents decide the same by passing a reasoned and speaking order in light of judgments relied upon by him in a time bound manner.
4. Accordingly, the present O.A. is disposed of in limine with a direction to the competent authority amongst the respondents to decide the indicated representation of the applicant by passing a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of this



order. While doing so, the authority is also directed to look into the judgments relied upon by the applicant as well as rules and regulations. Order so passed be duly communicated to the applicant. Disposal of the O.A. in the above terms will not be construed as an expression of any opinion on the merits of the case. No costs.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 10.7.2020.

Place: Chandigarh.

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