

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

O.A.310/01453/2015

Dated Wednesday the 14th day of October, Two Thousand Fifteen

P R E S E N T

**HON'BLE MR. JUSTICE B. SESHASAYANA REDDY, Member (J)
&
HON'BLE DR. P. PRABAKARAN, Member(A)**

R. Parthasarathy,
S/o. Rajagopal@Rajampillai,
aged about 59 years,
Technical Assistant (Lab),
Government General Hospital,
Karaikal- 609 602.

... Applicant

By Advocate: M/s. Sai, Bharath & Ilan

Vs.

1. The Union of India,
Rep. by the Secretary to Government,
Ministry of Health,
Chief Secretariat,
Puducherry- 605 001;
2. The Director,
Health and Family Welfare Services,
Puducherry- 605 001;
3. The Medical Superintendent-cum-Head of Office,
Government General Hospital,
Karaikal- 609 602.

... Respondents

By Advocate: Mr. Syed Mustafa

ORDER

(Pronounced by Hon'ble Mr. Justice B. Seshasayana Reddy, Member)

This Original Application is filed by R. Parthasarathy Under Section 19 of the Administrative Tribunal's Act 1985 seeking direction to the respondents to consider his representation dated 08.10.2014 for grant of 2nd financial upgradation under Assured Career Progression Scheme (ACPS) , 1999 with effect from 12.09.2004.

2. When the matter came up for admission, Mr. Syed Mustafa, Learned Government pleader for Puducherry accepts notice on behalf of the respondents.

3. The applicant joined as Laboratory Technician Grade II on 12.09.1980 in the respondent department. He was promoted to the post of Senior Laboratory Technician on 4.12.1986 and to the post of Technical Assistant (Laboratory) on 07.3.2012 respectively. As the posts of Senior Laboratory Technician and Technical Assistant (Laboratory) are having the same Grade Pay in PB-2, there was no pay fixation benefit as per Rule 13 of the CCS (Revised Pay) Rules, 2008 to the applicant on his promotion to the post of Technical Assistant. Earlier he submitted representation for grant of financial benefit for

upgradation of his pay under ACP scheme. His representation came to be disposed of and proceedings came to be issued on 4.3.2014. He submitted representation pointing out mistaken statement made with regard to the upgradation of his scale. His representation is stated to be pending. There being no action on his representation, he approached this Tribunal invoking the jurisdiction under Section 19 of the Administrative Tribunal's Act.

4. The limited grievance of the applicant is non-consideration of his representation dated 08.10.2014.

5. In that view of the matter, we deem it appropriate to dispose of the O.A. by directing the respondents to consider his representation dated 08.10.2014 by 2nd respondent and pass appropriate orders within four weeks from the date of receipt of copy of this order.

6. This O.A. is disposed of accordingly. There shall be no order as to costs.