

**CENTRAL ADMINISTRATIVE TRIBUNAL,**  
**ERNAKULAM BENCH**

**Original Application No. 180/00350/2020**

**Friday this the 7<sup>th</sup> day of August, 2020**

**CORAM:**

**Hon'ble Mr. P.Madhavan, Judicial Member**  
**Hon'ble Mr.K.V.Eapen, Administrative Member**

Dr.Rajendran, aged 60, S/o.D.Damodaran  
(MES No.109642), Mason (HSII) Rtd  
Military Engineering Service, Kataribagh, Kochi – 682 004  
Residing at Panthuvilayil, Nettayam  
Nediyara P.O, Anchal, Kollam – 691 306  
Mob: 9497444281

..... **Applicant**

**(By Advocate :Mrs.Ushakumari P)**

**V e r s u s**

1. The Union of India, represented by the  
Secretary to Government  
Ministry of Defence, Government of India  
New Delhi – 110 001
2. The Chief Engineer, Military Engineer Services  
Head Quarters, Southern Command, Pune – 412 101
3. The Chief Engineer (NW)  
Kataribagh, Naval Base  
Kochi – 682 004
4. The Command Works/Engineers (NW)  
Kataribagh, Naval Base  
Kochi – 682 004
5. The Garrison Engineer (I) MES

E/M (NW)  
Kataribagh  
Kochi – 682 004

.....**Respondents**

**(By Advocate : Mr.N.Anilkumar, SCGSC)**

This application having been heard on 7.8.2020, the Tribunal on the same day delivered the following:

### **ORDER (ORAL)**

**Hon'ble Mr. P.Madhavan, Judicial Member –**

The applicant entered into service during 24.11.1983. It is submitted that as per Annexure A2 and A4 the applicant is entitled to get financial upgradation under ACP on 1.1.2006 in the grade pay of Rs.1900/- and the 2<sup>nd</sup> up gradation under ACP on 24.11.2007 in the grade pay of Rs.2400/- and 3<sup>rd</sup> financial up gradation under MACP on 24.11.2013 in the grade pay of Rs.2800/-. Hence he prays for the following reliefs.

*" (a) This Hon'ble Tribunal may be pleased to call for the records connected with the case.*

*(b) This Hon'ble Tribunal may be pleased to direct the respondents to grant I<sup>st</sup> ACP in the grade pay of Rs.1,900/- from 01.01.2006 and Iind ACP in the grade pay of Rs.2400/- from 24.11.2007 and IIIrd MACP in the grade pay of Rs.2800/- w.e.f 24.11.2013 to the applicant.*

*(c) Issue any other order or direction and grant such other reliefs as this Hon'ble Tribunal may found deem fit and proper in the circumstances of this case. "*

2. Advocate Mr.N.Anilkumar,SCGSC takes notice on behalf of respondents.

3. Counsel for the respondents submits that if the applicant is ready to give a fresh representation regarding his grievances, the respondent Command Works Engineer, Naval Base, Kochi will consider and dispose of the same within a time frame. Counsel for the applicant is ready to do the same.

4. **In view of the limited submission, applicant is directed to file a fresh representation regarding his grievances within a period of two weeks to the Command Works Engineer, Naval Base, Kochi. Command Works Engineer is directed to consider the representation and dispose of the same within a period of two months from the date of receipt of such representation and pass a reasoned and speaking order on the basis of relevant rules and regulations and on the basis of latest decisions by Court on the point.**

5. The Original Application is disposed of as above, at the admission stage itself.  
No costs.

**(K.V.EAPEN)**  
**ADMINISTRATIVE MEMBER**

**(P.MADHAVAN)**  
**JUDICIAL MEMBER**

**List of Annexures**

Annexure A1 : True copy of the PTO No.1 dated 07.01.2013 issued by the 5<sup>th</sup> respondent

Annexure A2 : True copy of the order No.85610/47/ACP/IND(3)/Scheme/CSCC/79 dated 12.9.2014 issued by the Dte Gen of Personnel/CSCC, Engineer-in-Chief's Branch, New Delhi

Annexure A3 : True copy of the order No.A/GE/FK/T4/Vol XI dated 12.09.2015 issued by the 5<sup>th</sup> respondent

Annexure A4 : True copy of the representation dated 12.02.2016 submitted by the petitioner to the 4<sup>th</sup> respondent

Annexure A5 : True copy of the representation dated 20.2.2020 submitted by the applicant to the 1<sup>st</sup> respondent and to the respondents 3 to 5.

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