

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**Original Application No.180/00612/2020**

Wednesday this the 16<sup>th</sup> day of December, 2020

**C O R A M :**

**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER**

**HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER**

1. A.P Kunjumuhammed, S/o.Pareed, aged 62 years  
MES 187845, Electrician HSII (Retired)  
Military Engineer Services, O/o.The AGE B/R  
Alwaye – 683 563, residing at Valaril House  
Eramalloor, Cheruvattor, Kothamangalam – 686 691  
Ernakulam District, (Mobile No.9946651807)
  2. S.G.Eldhose  
MES 109440, S/o.Geevarghese, aged 62 years  
Fitter Pipe (SK)(Retired)  
Military Engineer Services, O/o.The AGE(1)  
NAD, Alwaye – 683 563, residing at Srambikudy House  
Thrikkaryoor, Panipra  
Kothamangalam – 686692. (Mobile No.9495471279)
  3. K.B.Rajan, MES/109608, S/o.Bhaskaran Nair  
aged 62 years, Electrician HS II (Retired)  
Military Engineer Services  
O/o. The AGE (I) NAD, Alwaye – 683 563  
Kunnathankudi House, Elambra  
(P.O.) Nellikkuzhi, Kothamangalam -686691  
Ernakulam District (Mobile No.9497283345)
  4. T.C.Chandran, MES/109469, S/o.Chathankannan  
aged 65 years, Fitter Pipe (SK) (Retired)  
Military Engineer Services, O/o.the AGE, NAD  
Alwaye -683 563, Thorayi Thondiyil House  
Edathala North P.O 683 561  
Ernakulam District, (Mobile No.9539889846)
- ...Applicants

(By Advocate Mr.P.K.Madhusoodhanan)

**v e r s u s**

1. The Commander Works Engineer  
Military Engineer Services, Kataribagh, Naval Base P.O  
Kochi – 682 004
2. The Chief Engineer, Head Quarters  
Southern Command, Pune – 411 001
3. Garrison Engineer  
Military Engineer Services, Naval Base (P.O)  
Kochi – 682 004
4. Union of India, represented by its Secretary  
Ministry of Defence, Central Secretariat  
South Block, New Delhi – 110 001
5. The Principal Controller of Defence Accounts (Pension)  
Droupatighat P.O, Allahabad, Uttarpradesh – 211 014      ....Respondents

(By Advocate : Mr.S.Ramesh,ACGSC)

This application having been heard through video conference on 16<sup>th</sup> December, 2020, this Tribunal on the same day delivered the following :

**ORDER (O R A L)**

**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER**

Applicants are retired employees having several years of unblemished service as Highly Skilled and Skilled Tradesman. But they were not granted their due ACP and MACP financial benefits from due dates inspite of the mandates in Annexures

-A1 to A4. Hence, they approached this Tribunal praying for the following reliefs:

*"a) Declare that the applicants are eligible and entitled to be granted with GP Rs.2800/- as their 3<sup>rd</sup> MACP scheme upgradation financial benefits and disburse all consequential monetary arrears arising therefrom to the applicants forthwith, at any rate, within time to be fixed by this Tribunal*

*b) Issue necessary directions to be respondents to grant and disburse to the applicant 3<sup>rd</sup> MACP scheme financial upgradation benefits from their respective due dates in G.P Rs.2800/- as granted in Annexures A-9 and A-10, within a time limit to be fixed by this Tribunal.*

*c) Issue necessary directions to be 5<sup>th</sup> respondent to issue necessary orders/addendum revising the retiral benefits of the applicants on grant of 3<sup>rd</sup> MACP scheme upgradation benefits of the applicants in GP Rs.2800/- from their due dates and grant and disburse to them all consequential differences in monetary benefits arising therefrom with 18% interest on the same till its disbursal to the applicants."*

2. When the matter came up for consideration, learned counsel for the applicant submits that the representations submitted by the applicants are pending with the respondents and no impugned orders are passed by the respondents. However since the representations filed by the applicants are dated 9.5.2018, they are directed to file a fresh comprehensive representation within a period of two weeks from today and the competent authority is directed to consider the same and pass a speaking order in the light of relevant rules and regulations on the subject within a period of three months from the date of receipt of representation.

3. The Original Application is disposed of as above at the admission stage itself .

No costs.

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

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

**SV**

### **List of Annexures**

Annexure A1 – True copy of the office memorandum dated 9/9/2010 by the Govt. Of India, Ministry of Personnel, Public Grievances and Pensions

Annexure A2 - True copy of the office memorandum dated 19.5.2009, by the Govt of India, Ministry of Personnel, Public Grievances and Pensions

Annexure A3 - True copy of the letter dated 12.9.2014 issued by Engineer-in-Chief, Head Quarters, Ministry of Defence (Army), Kashmir House, New Delhi – 110 001

Annexure A4 - True copy of the M.O.D letter No.11(5) 2009 D (Civ-1) dated 14.6.2010

Annexure A5 - True copy of the P.P.O of 1<sup>st</sup> applicant issued by the 5<sup>th</sup> respondent.

Annexure A5(a) - True copy of the revised P.P.O of 1<sup>st</sup> applicant issued by the 5<sup>th</sup> respondent

Annexure A6 - True copy of the P.P.O of 2<sup>nd</sup> applicant issued by the 5<sup>th</sup> respondent

Annexure A6(a) - True copy of the revised P.P.O of 2<sup>nd</sup> applicant issued by the 5<sup>th</sup> respondent

Annexure A7 - True copy of the P.P.O of 3<sup>rd</sup> applicant issued by the 5<sup>th</sup> respondent

Annexure A8 - True copy of the P.P.O of 4<sup>th</sup> applicant issued by the 5<sup>th</sup> respondent

Annexure A8(a) - True copy of the revised P.P.O of 4<sup>th</sup> applicant issued by the 5<sup>th</sup> respondent

Annexure A9 - True copy of the special PTO (Part Two Order) dated 6.8.2015, issued by the 3<sup>rd</sup> respondent

Annexure A10 - True copy of the P.T.O No.43 dated 26.10.2015, issued by the 3<sup>rd</sup> respondent

Annexure A11 - True copy of the representation dated 9.5.2018, submitted through proper channel by the 1<sup>st</sup> applicant to the first respondent

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