

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/20/391/2020

HYDERABAD, this the 5th day of August, 2020

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member



Chinthala Venkata Ramana Murty, Group-C
S/o. Late Srirama Murty,
Aged about 60 years and Sr. Citizen,
Retired Postal Assistant,
H.No.11-4-16 upstairs,
Nagampeta, Peddapuram-533 440,
East Godavari District,
Andhra Pradesh.

... Applicant

(By Advocate: Mr. K. Siva Reddy)

Vs.

1. Union of India rep. by
Secretary,
Ministry of Communications and IT.,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi – 110 001.
2. The Chief Postmaster General,
Andhra Pradesh Postal Circle,
Vijayawada – 520 013.
3. Superintendent of Post Offices,
Kakinada Postal Division,
Kakinada – 533 001.
4. Director of Accounts – Postal,
Andhra Pradesh Circle,
Vijayawada – 520 013.

...Respondents

(By Advocate: Mrs.B. Gayatri Varma, Sr. PC for CG)

ORDER (ORAL)**Hon'ble Mr.B.V. Sudhakar, Admn. Member**

2. The OA is filed challenging the delayed grant of MACP benefits.



3. Brief facts are that the applicant retired on 29.2.2020 as Postal Assistant from the respondents organisation. The applicant, while working as a Postal Assistant, was imposed with the penalty of stoppage of increment for a period of 6 months vide proceedings dated 2.8.2009. The applicant claims that despite being free from any disciplinary proceedings as on the date of completing 10 /20 years of service, he was not granted the 1st/2nd MACP benefits as on 1.9.2008 & 31.3.2018 respectively. There was undue delay in granting the benefits. Aggrieved, the OA has been filed.

4. The main contentions of the applicant are that there were no disciplinary proceedings pending on the crucial dates for granting the MACP benefits sought. As per MACP Scheme, he is eligible for grant of the MACP benefits as on the dates he became eligible. Applicant relied on the Hon'ble Apex Court judgment in K.V.Janakiraman vs. Union of India, decided on 27.8.1991 in support of his contentions. Further, applicant has also represented on 11.2.2019, which is yet to be disposed.

5. Heard both the counsel and perused the pleadings on record.

6. The claim of the applicant is that there were no disciplinary proceedings pending against him on the crucial dates for granting MACP benefits. The respondents have delayed the grant of the MACP benefits for years together. He has also represented on 11.2.2019, but the same has not been responded to till date,

as per the version of the Ld. Counsel for the applicant. Hence, in view of the aforesaid circumstances, the respondents are directed to dispose of the representation of the applicant dated 11.2.2019, keeping in view the contention of the applicant that there were no disciplinary proceedings pending on the crucial dates for granting 1st/2nd MACP benefits and also the Hon'ble Apex Court Judgment in K.V. Janakiraman case, by issuing a speaking and reasoned order within a period of 4 weeks from the date of receipt of this order.

7. With the above direction, the OA is disposed with no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(ASHISH KALIA)
MEMBER (JUDL.)

pv/evr