

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/0006/2021**

Jabalpur, this Monday, the 04<sup>th</sup> day of January, 2021

**HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER**  
**HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER**



Ishwar Khade  
 S/o Shri Kothiram Ramji Khade,  
 DOB: 13.12.1959  
 Occupation Retd. Superintendent  
 R/o H.No.53 Gajanan Nagar  
 Khobragade Layout Manewada Ring Road  
 Nagpur 440027 (M.S.)

-Applicant

(By Advocate –**Shri S.K. Nandy**)

**V e r s u s**

1. Union of India,  
 Through its Secretary  
 Department of Revenue  
 Ministry of Finance  
 Central Secretariat  
 New Delhi 110001

2. Chairman, Central Board of  
 Indirect Taxes  
 New Delhi 11001

3. Principal Commissioner CGST  
 & CEX Central GST Bhawan  
 Tikrapara Dhamtari Road,  
 Raipur 492001 (C.G.)

- Respondents

(By Advocate –**Shri Himanshu Shrivastava**)

## **O R D E R (Oral)**

### **By Ramesh Singh Thakur, JM:-**

Heard.

2. This Original Application has been filed against the respondents for inaction in not deciding Annexure A/4 till date.
3. From the pleadings the case of the applicant is that the applicant has retired from services while holding the post of Superintendent on 01.01.2020. In pursuance of the order passed by this Tribunal the Additional Commissioner (P&V) CGST, CEX & Customs Raipur has issued Establishment order dated 24.09.2019 for non functional upgradation of Grade Pay of Rs.5400/- to the Inspectors who were in the Grade Pay of Rs.4800/- on account of grant of ACP benefits on completion of 4 years service was granted to the officers. The submission of the applicant is that the case of the applicant is fully covered by the order passed by this Tribunal in O.A. No.200/24/2015 along with other connected cases on 13.09.2018 (Annexure A/2) and the respondent department



has implemented the same. The applicant further submits that he has submitted the representation dated 29.06.2020 (Annexure A/4) to the respondent department which is still pending for consideration.



4. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide his representation dated 29.06.2020 (Annexure A/4) in a time bound manner.

5. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

6. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents are directed to decide the representation dated 29.06.2020 (Annexure A/4) in a time bound manner.

7. Resultantly, the competent authority of the respondents is directed to decide the applicant's representation dated 29.06.2020 (Annexure A/4), if not

already decided, within a period of 45 days after receiving the copy of this order.

**8.** Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in representation dated 29.06.2020 (Annexure A/4).



**9.** With these observations, this Original Application is disposed of at admission stage itself.

**(Naini Jayaseelan)**  
**Administrative Member**

**(Ramesh Singh Thakur)**  
**Judicial Member**

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