

**Through Video Conferencing****CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH  
JABALPUR****Original Application No.200/380/2020**

Jabalpur, this Thursday, the 30<sup>th</sup> day of July, 2020

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

A.K. Upadhyay, S/o Shri Permanand Upadhyay, aged about 53 years, Occupation : Heat Treatment Mechanic (High Skilled I), 506 Army Workshop, Jabalpur (M.P.), R/o Plot No.241/2B, Nehru Nagar, Bajna Math, Jabalpur (M.P.) 482001

**-Applicant**

**(By Advocate – Shri Swapnil Ganguly)**

**V e r s u s**

1. Union of India through its Secretary, Ministry of Defence, South Block, New Delhi – 110001.
2. Department of Personnel, Public Grievances & Pension, DOP&T, North Block, New Delhi 110001 through its Secretary.
3. The Commandant, 506 Army Base Workshop, Jabalpur (M.P.) 482001.

**-Respondents**

**(By Advocate – Shri Surendra Pratap Singh)**

**O R D E R**

**By Ramesh Singh Thakur, JM.**

Heard.

2. This Original Application has been filed by the applicant against in action on behalf of the respondents in not granting the benefit of third financial



upgradation under the MACP scheme in the Grade Pay of Rs.4200/- w.e.f. 01.01.2016.

 3. The case of the applicant is that the applicant was granted promotion in the year 2006 and after 10 years w.e.f. 01.01.2016, he was entitled for third financial upgradation under the MACP scheme. However, the applicant has not been granted the said benefit. The applicant has made a representation on 25.04.2016 (Annexure A-5) and thereafter another representation was preferred by the applicant on 27.07.2016 (Annexure A-6). However, no action has been taken by the respondents till date.

4. Learned counsel for the respondents submits that this Original Application is time barred as the applicant is seeking 3<sup>rd</sup> MACP w.e.f. 01.01.2016 and has made his representation on 25.04.2016 (Annexure A-5), whereas this Original Application has been filed in the year 2020.

5. It is pertinent to mention that as per pleadings, the applicant has also approached the Department for not redressing his grievance through RTI on 14.12.2019. However, no response has been given to the applicant. Therefore, in view of the fact that firstly the applicant has made his representation on 25.04.2016 (Annexure A-5) and thereafter the second

representation was made on 27.07.2016 (Annexure A-6) and in addition to that the applicant has also sought information regarding grant of 3<sup>rd</sup> MACP under RTI, we are of the view that ends of justice would be met if the respondents are directed to decide the representations (Annexure A-5 and A-6) in a time-bound manner.

**6.** Accordingly, without going into the merits of the case, we direct the competent authority of the respondents to consider and decide the applicant's representations (Annexure A-5 and A-6), within a period of four weeks from the date of receipt of a copy of this order. Needless to say that the respondents shall pass a reasoned and speaking order as per contention raised in the representations.

**7.** With these observations, this Original Application is disposed of at the admission stage itself. No costs.

**(Naini Jayaseelan)**  
**Administrative Member**  
am/-

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