

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

**Original Application No.200/00388/2020**

Jabalpur, this Wednesday, the 5<sup>th</sup> day of August, 2020

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



1. Jagdish Pant, Father's Name: Late Bhawani Dutt Pant, D.O.B. 13.11.1968, Occupation Government Job, R/o B-516, Kolar Road, Bhopal (M.P.)
2. Hukum Singh, Father's Name: Shri Late Shri Ram Charan D.O.B. 01.05.1961 Occupation Government Job R/o CBI Colony Char Imli Bhopal (MP)
3. R.L. Pandey, Fathers Name Late Shri Shobhnath Pandey DOB 1-07-1951 Post Government Job (retired) Address: Village Dadar Post Rahat Tehsil Hujur Thana Chorhata Distt- Rewa (MP)
4. Roop Singh Ahirwar, Father's Name Late Shri Ladle Prasad DOB 20.07.1966 Occupation Government Job R/o Type-II CBI Colony Bhopal (M.P.)
5. Rajesh Kumar Vishwakarma Father's Name: Shri Kunji Lal Vishwakarma DOB 20.07.1972 R/o Near Vishwakarma Mandir Village Sonpur, Thana Khamariya, Jabalpur (M.P.)
6. Sunil Kumar Singh Father's Name Luvkush Singh Bhadoria DOB 25-11-1971 Post Government Job Address: House No.56A RajHarsh Colony Kolar Road, Bhopal (M.P.)
7. Ghanshyam Tiwari Father's Name Halku Ram Tiwari DOB 15-05-1970 Post Government Job Address House No.88/89, Police Housing Society Priyanka Nagar, Kolar Road, Bhopal (M.P.)
8. Narendra Kumar Panda, Father's Name Late Shri Prem Lal Panda DOB 01-06-1979 Post Government Job Address Flat

No.106 Akash Heights, Raj Ved Colony Kolar Road, Bhopal (M.P.)

9. Gopal Saxena Father's Name B.D. Saxena DOB 13-06-1975 Post Government Job Address House No.86 Kanha Kunj, Phase 2 Kolar Road Bhopal (M.P.)



10. Umarshankar Arya Father's Name Late Shri Ram Shiromani Arya DOB 15-06-1971 Post Government Job Address: House No.87/88/B Police Housing Society Priyanka Nagar, Kolar Road Bhopal (M.P.)

11. Manoj Kumar Pandey, Father's Name Shri Manbharan Pandey DOB 25.11.1974 Occupation Government Job R/o Type-II-3 CBI Colony, VIP Road, Near PTS Chowk Village Dharampura Mana Raipur Chhattisgarh

12. Dev Narayan Arya, Father's Name Late Shri Ram Shiromani Arya DOB 01.07.1967 Occupation Government Job R/o 87-A Police Housing Society Near Priyanka Nagar Kolar Road, Bhopal (M.P.)

13. Deleted.

14. Rajendra Kumar Chourasia, Father's Name Late Shri Mahesh Prasad DOB 01.07.1975 Occupation Government Job R/o H.No.554 Sheetal Mai, Ghampur Jabalpur (M.P.)

15. Kanta Pant Father's Name Late Shri Bhawani Dutt Pant, DOB 25.08.1974 Occupation Government Job, R/o H.No.MIG-18/8 Sanjay Complex Mata Mandir Bhopal (M.P.)

16. Mohd. Rafique Rayeen Father's Name Late Shaikh Babu DOB 05.12.1964 Occupation Government Job, R/o H.No.2058/AR-1 Gohalpur Thana Ahamed Nagar, Jabalpur (M.P.) **Applicants**

(By Advocate – **Shri Akash Choudhary**)

**V e r s u s**

1. Union of India, Through the Secretary, Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training North Block, New Delhi 110001

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2. The W/Director, Central Bureau of Investigation, Government of India Block No.3 4<sup>th</sup> Floor CGO Complex, Lodi Road, New Delhi 110003

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**- Respondents**

(By Advocate – **NONE**)

**O R D E R(ORAL)**

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

This Original Application has been filed by the applicants for claiming the benefit of MACP as per the law settled by the Jodhpur Bench of this Tribunal in the matters of **Kishan Lal** vs. **Union of India**, wherein the Tribunal has held that for the purpose of MACP, the services rendered prior to absorption shall be calculated.

2. It has been submitted by the counsel for the applicants that the applicants have made the representations to the respondent department on the basis of judgment passed by our Co-ordinate Bench at Jodhpur. It has been further submitted by the counsel for the applicant that the Hon'ble

High Court of Rajasthan at Jodhpur has also upheld that the benefit of prior service before absorption shall also be granted for the purpose of MACP.



3. We have been informed by the counsel for the applicant that the SLP against the order passed by Hon'ble High Court of Rajasthan at Jodhpur has also been dismissed.

4. At this stage the counsel for the applicants submit that the applicants will be satisfied if the respondents are directed to decide the representation Annexure A-1(Colly.) in a time bound manner, wherein, the applicants have represented to the respondent department on the basis of judgment passed by the Jodhpur Bench of this Tribunal and also as per the law settled by the Hon'ble High Court of Rajasthan at Jodhpur.

5. We have considered the matter and we are of the opinion that the representation is pending before the respondent department and furthermore the law has been settled by the Jodhpur Bench of this Tribunal and also by the Hon'ble High Court of Rajasthan at Jodhpur.

6. In such circumstances we direct the respondent authorities to decide the representation of the applicant at

Annexure A-1 within a period of four weeks after receiving the order of this Tribunal.

7. Needless to say that the respondents shall pass the reasoned and speaking order.

8. With these observations the Original Application is finally disposed of at the admission stage itself.



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

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