

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00396/2020

DATED THIS THE 15th DAY OF JUNE, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from his residence in Bangalore)

Smt. Vasanthasarathy,
W/o V. Sarathy,
Aged about 63 years,
Retired Inspector of Central Excise,
R/a Flat No. 1, Sai Samran Apartments,
17th Cross, 35th A Main, JP Nagar,
6th Phase, Bangalore- 560078.

.....Applicant

(By Advocate Shri. BS Venkatesh Kumar - through video conference)

V/s

1. Union of India represented by
Secretary to Government,
Ministry of Finance,
Department of Revenue,
North Block, New Delhi-110 001.
2. Central Board of Excise & Customs(CBEC) & GST
By its chairman,
North Block, New Delhi- 110 001.
3. The Principal Chief Commissioner of
Central Tax, Bengaluru
P.B. No. 5400,
Central Revenue Building,
Queen's Road,
Bangalore – 560 001.Respondents

(By Shri. S. Sugumaran, Senior Panel Counsel for the respondents - through video conference)

ORDER (ORAL)**PER: SURESH KUMAR MONGA, MEMBER (J)**

The present Original Application has been filed by the applicant under Section 19 of Administrative Tribunals Act, 1985 making therein the following prayer :

“(b) This Hon’ble Tribunal be pleased to issue a writ of mandamus directing the respondents to grant Non-Functional Grade (NFG) Scale in the Pay Band-2 –with Grade Pay of Rs. 5400/- after completion of 4 years of service to the applicant in Pay Band-2 Grade Pay Rs.4800/-, with all consequential benefits of arrears of pay, pay fixation, etc.”

2. At the very outset, Shri. B S Venkatesh Kumar, learned counsel for the applicant submitted that the matter is squarely covered by a judgement dated 30.01.2020 rendered by this Tribunal in OA No. 746/2019. Learned Counsel further pointed out that the said judgement has already been implemented by the respondents vide order dated 21.04.2020.

3. The fact as stated by Shri. B S Venkatesh Kumar, learned counsel for the applicant has not been disputed by Shri. S. Sugumaran, learned counsel for the respondents.

4. Accordingly, the OA is allowed in the same terms of the judgement dated 30.01.2020 rendered by this Tribunal in OA No. 746/2019.

5. Consequent thereto, the respondents are directed to release the benefits to applicant herein within a period of two months from the date of receipt of a certified copy of this order.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

rj