



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Hearing by Video Conferencing

O.A. No.060/00775/2021

Chandigarh, this the 28th of July 2021

HON'BLE MR. SURESH KUMAR MONGA, MEMBER (J)

(Through video conference from Chandigarh Bench)

HON'BLE MR. RAKESH KUMAR GUPTA, MEMBER (A)

(Through video conference from Bangalore Bench)

Pardeep Kumar Shukla, S/o Late Sh. Vishwanath Shukla, Senior Section Engineer (C&W) (Retd.), Northern Railway, Amritsar, Punjab, Now resident of H. No. 1819/14, Guru Ram Dass Nagar, Abadi Gawal Mandi, Near Railway Workshop, Amritsar, Punjab (Group C)

....Applicant

(BY: Sh. Hemender Goswami, Advocate)

Versus

1. Union of India through the General Manager, Northern Railway Head Quarters, Baroda House, Rail Bhawan, New Delhi – 110001.
2. The Senior Divisional Personnel Officer, Northern Railway, Ferozepur, Punjab -152001.

... .Respondents

O R D E R(Oral)

Per: SURESH KUMAR MONGA, MEMBER (J):

1. The present original application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, seeking therein the following relief:-

“(i) The directions may be issued to the respondents to re-fix the pay of the applicant after granting the benefit



of financial upgradation of 3rd MACP by granting him the Grade Pay of Rs.5400/- in pay scale of Rs.9300-34800 w.e.f. 27.04.2017 as well the arrears of pay as a result of this refixation along with interest @ 18%.

(ii) The respondents be directed to refix the pension/pensionary benefits as a result of refixation of pay on grant of 3rd MACP and to pay arrears thereof with 18% interest.

(iii) The directions may be issued to the respondents to take final decision on the legal notice dated 12.04.2021 (A-10) in light of new Modified Assured Career Progression Scheme (MACPs)."

2. At the very outset, learned counsel for the applicant submitted that before filing the present original application, the applicant got issued a legal notice through his counsel on 12.04.2021. However, neither the said legal notice has been replied by the respondents, nor the relief claimed herein has been granted to the applicant.

3. Learned counsel further submitted that the applicant will be satisfied if the present original application is disposed of with a direction to respondents to treat the aforesaid legal notice as his representation and to take a decision over the same within a time-frame.

4. Keeping in view the afore-stated limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present original application, at the admission stage itself, without entering into the merit of the case.

5. Accordingly, the original application is disposed of with a direction to the Senior Divisional Personnel Officer, Northern



Railway, Ferozepur (Respondent No. 2 herein), to treat the applicant's legal notice dated 12.04.2021 as his representation and pass a reasoned and speaking order thereon, in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.

6. Ordered accordingly. However, there shall be no order so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

'mw'