



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**OA No. 1867/2021**

**MA No. 2378/2021**

**This the 02<sup>nd</sup> day of September, 2021**

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)**

**Hon'ble Mr. R.N. Singh, Member (J)**

1. Neeraj Malhotra  
Age 54 years Group "B"  
S/o Late Shri S.K. Malhotra  
R/o B 30, LIC Colony, Pashim Vihar  
New Delhi-110087  
Working as Superintendent  
Under the Cadre Controlling Authority of Chief  
Commissioner of GST & Central Excise,  
Delhi Zone (Cadre Control)  
C.R. Building, I.P. Estate,  
New Delhi – 110002.
2. Vijay Kumar  
Age 51 years Group "B"  
S/o Shri Gian Singh  
R/o R 190, Kapil Vihar, Sector 21C  
Faridabad, Haryana  
Working as Superintendent  
Under the Cadre Controlling Authority of Chief  
Commissioner of GST & Central Excise,  
Delhi Zone (Cadre Control),  
C.R. Building, I.P. Estate,  
New Delhi – 110002.
3. Atul Kumar Pancholi  
Age 56 years Group "B"  
S/o Shri Jiwan Lal Pancholi  
R/o DDA MiG Flat No.06  
Pocket 2, Sector A/10, Narela, Delhi-110040  
Working as Superintendent  
Under the Cadre Controlling Authority of Chief  
Commissioner of GST & Central Excise,  
Delhi Zone (Cadre Control),

C.R. Building, I.P. Estate,  
New Delhi – 110002.



4. Vijay Kumar  
Age 53 years Group "B"  
S/o Shri Onkar Singh  
R/o G-171, Nanakpura  
South Moti Bagh, New Delhi  
Working as Superintendent  
Under the Cadre Controlling Authority of Chief  
Commissioner of GST & Central Excise,  
Delhi Zone (Cadre Control),  
C.R. Building, I.P. Estate,  
New Delhi – 110002.

5. Shakti Singh  
Age 53 years Group "B"  
S/o Shri Jitender Singh  
R/o B 103, Garden Estates,  
Laxminagar, Goregaon (W)  
Mumbai -400 104  
Working as Superintendent  
Under the Cadre Controlling Authority of Chief  
Commissioner of GST & Central Excise,  
Delhi Zone (Cadre Control),  
C.R. Building, I.P. Estate,  
New Delhi – 110002.

... Applicant

(through Advocate: Shri Padma Kumar S.)

## VERSUS

1. Union of India, through  
The Revenue Secretary,  
Government of India,  
Ministry of Finance, Department of Revenue,  
North Block, New Delhi-110001.
2. The Chairman,  
Central Board of Indirect Taxes & Customs,  
Ministry of Finance, North Block,  
New Delhi-01
3. The Chief Commissioner of CGST & Central  
Excise, Delhi Zone (Cadre Controlling Authority)  
C.R. Building, I.P. Estate,  
New Delhi – 110002.



4. The Principal Commissioner,  
Delhi North CGST & Central Excise,  
C.R. Building,  
I.P. Estate, New Delhi-110002.

...Respondents

(through Advocate: Shri R S Rana )

### **ORDER (Oral)**

**Hon'ble Mr. R. N. Singh, Member (J):**

**M.A. 2378/2021**

The present MA has been filed seeking permission to file the aforesaid OA jointly. For reasons stated therein in the MA and keeping in view, no objection from the learned counsel for the respondents, the present MA is allowed.

**O.A. 1867/2021**

The applicants, five in number, have filed the present OA under Section 19 of the AT Act, 1985 being aggrieved by the non-grant of benefit of Grade Pay of Rs. 5400/- on completion of 4 years of the grant of ACP/MACP in the pay scale of Rs. 7500-12000/PB-2 Grade Pay of Rs. 4800/-.

2. Learned counsel for the applicants submits that the issue involved in the present OA has already been decided by various orders of the Hon'ble High Court and the same has attained finality after disposal of the SLP. He submits



that for extension of benefits of the said judgment followed in other cases also, the applicants have made representations (Annexure A-I colly) and the same are still lying pending with the respondents.

3. Issue notice. Mr. Rana, who appears for respondents on advance service, accepts notice.

4. Learned counsel for the applicants submits that the applicants shall be satisfied, if the present OA is disposed of at this very stage with direction to the respondents to consider the aforesaid pending representations (Annexure A-I colly) in a time bound manner.

5. We have heard the learned counsels for the parties.

6. In the facts and circumstances, we are of the considered view that if the request of the applicants for disposal of the pending representations is accepted at this stage, no prejudice is likely to be caused to the respondents.

7. Accordingly, the present OA is disposed of, without going into the merits of the case, with a direction to the respondents to consider the aforesaid pending representations (Annexure A-I colly) and dispose of the same by passing a reasoned and speaking order as expeditiously

as possible and preferably within a period of ten weeks of receipt of a copy of this order.



**(R.N. Singh)**  
**Member (J)**

**(A.K. Bishnoi)**  
**Member (A)**

*/sarita/pinky*

