



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

O.A. No. 794 of 2021

This the 13th day of April, 2021

(Through Video Conferencing)

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

1. Anta Ram, Supdt. (Rtd.) Group (C)
(Aged about 66 years)
S/o Late Sh. Yad Ram,
R/o 1273, Sector-15, Part-2,
Gurgaon (Haryana) - 122001
2. Jagdish Parshad, Supdt. (Rtd.) Group (C)
(Aged about 63 years)
S/o Sh. Jhamman Lal,
R/o 19, DDA (SFS) Sector-1, Pkt-1,
Dwarka, New Delhi-110075
3. G. R. Bhadana, Supdt. (Rtd.) Group (C)
(Aged about 65 years)
S/o Sh. Munshi Ram Bhadana,
R/o H. No. 244, Sector-8, Faridabad,
Haryana

...Applicants
(By Advocate: Mr. M. D. Jangra)

VERSUS

1. Union of India,
Through its Secretary,
Ministry of Finance,
Department of Revenue,
North Block, New Delhi-110001
2. The Chairman,
Central Board of Excise & Customs,
North Block, New Delhi-110001
3. The Secretary,
Ministry of Personnel Public Grievances & Pensions,
Department of Personnel & Training,
North Block, New Delhi-110001



4. The Chief Commissioner (CCU)
O/o The Chief Commissioner of Central Excise,
Cadre Controlling Authority: Delhi Zone,
C.R. Building, I.P. Estate, New Delhi-110109

- The Commissioner (Cadre Control)
Central Goods & Service Tax (North Delhi),
Cadre Controlling Authority,
C.R. Building, I.P. Estate, New Delhi-110109

6. The Commissioner of Customs (Import)
IGI Airport, new Custom House,
New Delhi

7. The Pay & Accounts Officer,
Central Board of Excise & Customs House,
I.G.I. Airport,
New Delhi-110037

8. The Pay & Accounts Officer,
Central Board of Excise,
C.R. Building, I.P. Estate,
New Delhi

...Respondents

(By Advocate: Mr. Hilal Haider)

ORDER (Oral)

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

M.A. No. 100/1053/2021

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

OA No. 100/794/2021

2. The present OA has been filed by the applicants praying therein the following reliefs:-



“(i) To declare the action of the respondents in not granting the grade pay of Rs. 6600/- as 2nd MACP benefits w.e.f. 01.01.2006 on implementation of MACP scheme and grade pay of Rs. 7600/- as 3rd financial upgradation on completion of 30 years of service as illegal and arbitrary and direct the respondents to grant the MACP benefits with consequential benefits including the arrears of pay and allowances and benefits of retiral benefits accordingly with interest @ 16% for the period of delay.

(ii) To declare the action of respondents in counting NFG as Financial Upgradation under ACP/MACP Scheme as illegal and direct the respondents to treat the grant of grade pay of Rs. 6600/- in PB-3 as 2nd Financial Upgradation and Rs. 7600/- as 3rd financial upgradation on completion of 30 years of regular service and release arrears of pay by revising his salary and retiral benefits accordingly with interest.

(iii) To allow the present OA with cost on the respondents.

(iv) To pass other order as deemed fit and proper in the facts and circumstances of the case.”

3. Mr. M. D. Jangra, learned counsel for applicants submits that for redressal of the applicants' grievances as raised in the present OA, the applicants have preferred various representations dated 26.06.2019, 05.12.2018 and 24.09.2018 (annexure-A-I/ collectively) and the same have not been disposed of by the respondents in spite of almost four years have elapsed.

4. Issue Notice.

5. Mr. Hilal Haider, learned counsel, who appears on behalf of the respondents on advance service, accepts notice.



At this stage, we are of the considered view that the OA may be disposed of with a direction to the respondents to consider the aforesaid representations of the applicants by passing a speaking and reasoned order in a time bound manner.

7. Accordingly, without going into the merits of the case, the present OA is disposed of with direction to the respondents to consider the applicants aforesaid pending representations i.e. Annexure A-I / collectively and dispose of the same by passing a reasoned and speaking order, as expeditiously as possible, and in any case within a period of ten weeks of receipt of a copy of this order.

8. The OA is disposed of in the aforesaid terms. No costs.

(R.N. Singh)
Member (J)

/neetu/shilpi/

(A.K. Bishnoi)
Member (A)