

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

O.A. No. 1315/2019

This the 2nd day of July, 2021

(Through Video Conferencing)

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

Sh. K.M. Joseph (MES 506702)
Aged about 61 yrs.
S/o (late) Sh. T. Mathew
R/o A-24-25, Ist Floor-1, A Block,
Jawahar Park, Devli Road,
Khanpur, New Delhi – 10062
Retired as UDC Group 'C'

...Applicant

(By Advocate : Shri T.D. Yadav)

Versus

1. Union of India through Secretary
M/o Defence, South Block, New Delhi
2. The Engineer-in-Chief Branch
Kashmir House, Rajaji Marg, New Delhi.
3. The Headquarter Commandant
Works Engineer (AF), Tughlakabad
4. The HQ Chief Engineer
Western Command, Chandimandir
5. The HQ Chief Engineer (AF)
Vayu Sena Nagar, Nagpur - 44007

...Respondents

(By Advocate : Shri Vijender Singh)





ORDER (Oral)

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

The applicant has approached this Tribunal, by filing the present Original Application, under Section 19 of the Administrative Tribunals Act, 1985, praying for the following reliefs :-

“(i) to set aside and quash the impugned order/letter dt. 18.9.2018 and Appex ‘B’ to the extent the name of the applicant at Sl. No. 6.

(ii) to direct the respondents to grant the benefit of IIIrd MACP from due date i.e. w.e.f. 09.2.2018 to the applicant.

(iii) To direct the respondents to grant all the consequential benefits like arrears and direct the respondents to revise all the pensionary benefits including pension.

(iv) to pass any other order(s) as deem fit and proper in the facts and circumstances of the case;

(v) Award cost.”

2. The matter is listed today for final hearing. At the outset, learned counsels for the parties submit that during the pendency of the OA, respondents have granted the benefit of IIIrd MACP, which was the substantial relief prayed for by the applicant in the present OA. However, Shri T.D. Yadav, learned counsel for the applicant submits that the consequential benefits vis-a-vis re-fixation of pay on grant of IIIrd MACP, arrears of pay on such re-fixation, revision of pension and arrears of pension have not been ordered and paid to the applicant.



3. Per contra, Shri Vijender Singh, learned counsel for the respondents submits that for such consequential benefits prayed for, is already under consideration of the Competent Authority and final decision, in this regard, is likely to be taken and order is to be issued within two months.

4. In view of the aforesaid, the present OA is disposed of with direction to the respondents to pass necessary orders with regard to revision of pay, arrears, if any, on such revision, re-fixation of pension and arrears of pension, if any, on such revision of pension and whatever due is found admissible to the applicant on such decision of the respondents within six weeks of receipt of a copy of this order and to release the same within six weeks of such order(s).

5. OA stands disposed of in the aforesaid terms. No orders as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/dkm/pinky/akshaya/