



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

**O.A. No.1465/2021
M.A. No. 1893/2021**

This the 17thday of September, 2021

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Gopal Das, Age about ___ years, Group 'C',
S/o Late Hukam Chand,
R/o H. No. 18, Nashan Complex, Sector-29,
Faridabad, Haryana.
Working as MTS under Commissionerate Export
New Delhi Custom House, Near I.G.I Airport
New Delhi-110037.
2. Sant Ram,
R/o H. No. 55, Gali No.5,
Ambedkar Colony Pahari,
Aya Nagar, New Delhi-110047
Working as MTS in preventive Commissionerate
New Delhi.
3. Maya Devi,
R/o H.No. 79, Village KheraWara,
Post Office-Farak Nagar,
District Gurgram, Haryana,
Working as MTS under Commissionerate
T.K.D. Export, New Delhi-110020.
4. Santosh Kumari,
R/o H.No. 71, Gali No.3,
Shyam Enclave, Najafgarh New Delhi,
Working as Terminal-III,
I.G.I Airport, MTS under Commissionerate General,
New Delhi-110037.
5. Basudev,
R/o H.No. R.P. 740, Gali No.8,
Near Jatto Ki Chawpal,



New Delhi-110037,
Working as Custom Preventive Commissionerate,
New Delhi.

...Applicants

(By Advocate : Mr. R. K. Shukla)

Versus

1. Union of India,
Through the Ministry of Finance,
Department of Revenue,
North Block,
New Delhi – 110001.
2. The Chief Commissioner of Central Taxes,
Delhi Zone,
Cadre Controlling Authority, Delhi Zone,
C.R. Building, I.P. Estate,
New Delhi.
3. The Commissioner,
Commissionerate, Preventive,
Commissionerate Custom House,
New Delhi.
4. The Commissioner,
Commissionerate,
Terminal – III, I.G.I. Airport,
New Delhi – 110037.
5. The Commissioner,
Commissionerate,
Export New Custom House,
Near I.G.I. Airport,
New Delhi – 110037.
6. The Commissioner,
Export Commissionerate,
ICD, TKD, New Delhi. ...Respondents

(By Advocate : Mr. R. K. Sharma)



ORDER (ORAL)

Hon'ble Ms. Manjula Das, Chairman

MA No.1893/2021

This MA has been filed by the applicants under Rule 4(5)(a) of CAT (Procedure) Rules, 1987, seeking permission to join in a single OA. For the reasons stated in the MA, the same is allowed.

OA No.1465/2021

2. Being aggrieved by non-grant of ACP/MACP benefits, the applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985, seeking the following relief(s):

- a) To direct the respondent to grant financial upgradation under the MACP scheme/ ACP scheme as per rules and regulations and respondents be further directed to pay the difference of arrears of pay along with interest as admissible as per rule;
- b) To pass any other further order which this Hon'ble Tribunal may deems fit and proper.

3. Issue notice. Shri R.K. Sharma, learned counsel appearing on behalf of respondents, accepts notice.

4. Through their representations dated 12.01.2021/08.02.2021, the applicants have prayed for grant of ACP/MACP by counting 100% qualifying service from the date of grant of temporary status till their



confirmation on the post. However, the same are pending consideration of the respondents.

5. After hearing learned counsel for the applicants, we propose to dispose of the OA by directing the respondents to decide the pending representations of the applicants, to which learned counsel for the respondents gave his no objection.

6. Accordingly, we dispose of this OA, without going into the merits of the case, with a direction to the respondents to pass a reasoned and speaking order on the representations submitted by the applicants and if the applicants are found entitled for the benefit claimed, the same shall be extended to them. This exercise shall be completed within a period of three months from the date of receipt of a copy of this order, under intimation to the applicants.

There shall be no order as to costs.

(Mohd.Jamshed)
Member (A)

(Manjula Das)
Chairman

September 17, 2021
/Dkm/Mbt