

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.297/2021

Date of Decision: 24th March, 2021

CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

Shri Ashok Appasaheb Magdum
Age 59 years, working as Senior
Engineering Assistant,
Doordarshan Kendra, Worli,
Mumbai - 400 030 residing at
:AL/1, Room No.96, Pragati Apartments,
Sector 17, Airoli, Navi Mumbai
- 400 708.

Email:-ashok.magdum@yahoo.in

Mobile No:-9969836694

... Applicant

(By Advocate Shri Vicky Nagrani)

VERSUS

1. Union of India through
The Secretary
Ministry of Information and
Broadcasting, Government of
India, Shastri Bhawan,
New Delhi - 110 001.
2. Director General
All India Radio
Akashwani Bhawan, Sansad
Marg, New Delhi - 110 001.
3. The Deputy Director General
(P)/(I/C), Prasar Bharati, All
India Radio Aksashwani
Bhawan, Sansad Marg,
New Delhi - 110 001.
4. Additional Director General
(P) Prasar Bharati,
Doordarshan Kendra
P.B. Marg, Worli
Mumbai - 400 030.

5. The Senior Accounts Officer
Pay & Accounts Office
All India Radio
Aksashwani Bhawan,
Sansad Marg,
New Delhi - 110 001.

... Respondents

(By Advocate Shri R.R. Shetty)

Proceeding conducted through videoconferencing with
consent of counsels for the parties

ORDER (ORAL)

Per: Ravinder Kaur, Member (J)

Present:

Advocate Shri Vicky Nagrani for the applicant.

Advocate Shri R.R. Shetty for the respondents.

2. Vide present OA, the applicant is seeking quashing and setting aside of the impugned Memorandum dated 17.02.2021 (Annex A-1) with all consequential benefits. He has further sought direction to the respondents to hold and declare that the 1st and 2nd MACP granted to the applicant are in order as decided by the Principal Bench in the case of Smt Syamali Biswas.

3. We have heard the counsels for the parties on the interim relief.

4. During the course of arguments, it is observed that vide impugned order dated 17.02.2021, the respondents have intimated the present applicant that he is not eligible for 1st and 2nd MACP since he was granted an upgraded scale under Prasar Bharati in the

post of Engg. Assistant and one promotion to the post of Sr. Engg. Assistant. Hence he is eligible only for 3rd MACP w.e.f. 28.02.2010 i.e. 10 years from the date of promotion or after completion of 30 years of service, whichever is earlier. It was further intimated that the pension case of the applicant will have to be revised after withdrawing his 1st and 2nd MACP and resubmitted accordingly to the PAO for sanction. This order further informs that the case of the applicant for 3rd MACP w.e.f. 28.02.2010 has been referred to the O/o. ADG(E)(WZ) separately for sanction. To this Memorandum, the respondents sought reply from the applicant within three days of its receiving.

5. The applicant's counsel pleads that he has already submitted reply to the aforesaid Memorandum. However, the same is not comprehensive and seeks permission to file a detailed comprehensive reply in addition to the earlier reply in response to the aforesaid Memorandum and the respondents be directed to dispose it of as per relevant rules, regulations and judgments in a time bound manner.

6. The respondents' counsel has no objection to it.

7. In the circumstances, the applicant is allowed to file additional comprehensive reply on the subject with the respondents within two weeks from today. If the applicant submits such additional reply with the

respondents, they shall dispose it of as per relevant applicable law/rules and regulations vide reasoned and speaking order within a period of four weeks from the date of its receipt and to communicate the order to the applicant within one week thereafter.

8. With these directions, the Original Application stands disposed of at the admission stage itself. No order as to costs.

(Ravinder Kaur)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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JD
06/04/21