

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 291/00596/2016

DATE OF ORDER: 26.07.2016

CORAM

**HON'BLE MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER**

Lalit Kumar Chittoria S/o Shri Ganga Singh Chittoria, aged around 57 years, R/o 53-B, Vishnu Garden, Tonk Road, Sanganer, Jaipur – 302029 and working as Technical Officer, in the office of Hq. CE SWC, Jaipur.

....Applicant

Mr. Mukesh Agarwal, counsel for applicant.

VERSUS

1. Union of India through the Secretary, Ministry of Defence, South Block, New Delhi.
2. Director General Personnel / EIB, Engineer-in-Chief's Branch, Integrated HQ of MOD (Army), Kashmir House, Rajaji Marg, New Delhi – 110011.
3. Chief Engineer (Hq.), South West Command C/o 56 APO.

....Respondents

Mr. S.S. Sharma, counsel for respondents.

ORDER

(Per MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER)

The present Original Application has been filed by the applicant seeking the following relief:

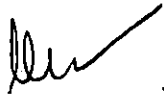
- "(i). By an appropriate order or direction, the respondents be directed to grant the benefit of 2nd ACP in PB-3, Rs. 15600-39100 with GP of Rs. 6600 w.e.f. 06.03.2008 and further 3rd MACP in GP Rs. 7600 in the immediate next higher grade pay w.e.f. 06.03.2014 to the applicant with all consequential benefits by reviewing / modifying necessary order and after fixation of his pay arrears of pay be paid to the applicant with interest @ 9% per annum
- (ii) By an appropriate order/direction any provisions of MACPs, which is contrary to the prayer of applicant, the same may also be quashed and set aside
- (iii). Any other order, direction or relief may be passed in favour of the applicant, which may be deemed fit, just and proper under the facts and circumstances of the case.
- (iv) That the costs of this application may be awarded."

2. Heard learned counsel for the applicant. He submitted that before approaching this Court, the applicant has already served a representation dated 15th June, 2015 (Annex. A/1), which has wrongly been mentioned as 15th June, 2016, which has not yet been replied to by the respondents till date. Therefore, the learned counsel for the applicant made a statement at the bar that he will be satisfied if a direction is issued to the respondents to consider and decide the pending representation of the applicant by a speaking and reasoned order in accordance with rules and law within a time bound manner.

3. In view of the above, there is no need to issue formal notice to the respondents. However, on our asking Shri S.S. Sharma, Senior Central Govt. Standing Counsel appears for the respondents and submitted that he does not oppose the disposal of the O.A. in the requested manner. However, he submitted that authorities may be granted sufficient time of at least two months' to consider and take a view in the matter.

4. Considering the above submissions and consensus made between the parties and without entering into the merits of the case, we dispose of this Original Application at this stage by directing the competent authority amongst the respondents to consider and decide the representation dated 15.06.2015 (Annex. A/1) of the applicant by passing a speaking and reasoned order. Let this exercise be carried out by the respondents within a period of two months from the date of receipt of a copy of this order. Needless to say that we have not expressed any opinion on the merits of the case.

5. No order as to costs.



(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER



(SANJEEV KUMAR KAUSHIK)
JUDICIAL MEMBER