

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

ORDERS OF THE TRIBUNAL

30.03.2012

OA No. 330/2011 with MA 02/2012

Mr. C.B. Sharma, Counsel for applicant.
Mr. Mukesh Agarwal, Counsel for respondents.

The short controversy involved in this OA is that the MACP, which has been granted to the applicant, has been withdrawn vide order dated 19.04.2011 (Annexure A/1). Learned counsel for the applicant has filed the rejoinder to the reply filed by the respondents. Alongwith the rejoinder, he submitted an order dated 25.04.2011 (Annexure A/7) issued by the Assistant Director General (GDS/PCC), Government of India, Ministry of Communications & IT, Department of Posts, Pay Commission Cell. After referring this order, he prayed that the applicant's case may also be examined in the light of this clarification issued by the Assistant Director General (GDS/PCC), Government of India, Ministry of Communications & IT, Department of Posts, Pay Commission Cell.

Since the applicant has prayed an innocuous relief, we allow the relief claimed by the applicant and direct the respondents to examine the applicant's case afresh in the light of the clarification issued by the Assistant Director General (GDS/PCC), Government of India, Ministry of Communications & IT, Department of Posts, Pay Commission Cell vide order dated 25.04.2011 (Annexure A/7) and shall pass a speaking order after considering the same for granting MACP in accordance with the provisions of law. The respondents are further directed to do needful expeditiously but in any case not beyond the period of two months from the date of receipt of a copy of this order. Till then, Interim order granted by this Tribunal on 28.07.2011 shall remain in force.

If any prejudicial order is passed against the applicant, he is at liberty to file substantive OA.

With these observations, the OA is disposed of with no order as to costs.

In view of the order passed in the OA, no order is required to be passed in the MA for vacation of the interim order, which shall stand disposed of accordingly.

Anil Kumar
(Anil Kumar)
Member (A)

K.S. Rathore
(Justice K.S. Rathore)
Member (J)

ahq

*Copy given vide
No 365 & 366
31/4/12
X*