

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00949/2014

Decided on: 28.10.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mrs. Rajwant Sandhu, Member (A)**

Parnam Singh, aged 40 years s/o S. Jujhar Singh, presently working as Wireman under Senior Superintendent of Post Offices, Amritsar Division, Amritsar.

.....Applicant

Versus

1. Union of India through Secretary to Government of India, Ministry of Communication and Information Technology, Department of Posts, New Delhi.
2. Director General (Posts), Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
3. Chief Post Master General, Punjab Circle, Sandesh Bhawan, Sector 17, Chandigarh -160017.
4. Director, Postal Services, Punjab West Region, Chandigarh.
5. Senior Superintendent of Post Offices, Amritsar Division, Amritsar - 143001.
6. Senior Post Master, Amritsar Head Office, Amritsar.

.....Respondents

Present: Mr. R.K. Sharma, counsel for the applicant

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. By way of the present O.A., the applicant has sought issuance of a direction to the respondents to consider his claim for granting him the pay scale of Rs.3500-4590 w.e.f.19.05.1997 i.e. the date of his

appointment, with further revision in pay band of Rs.5200-20200 with grade pay of Rs.2400/- w.e.f 01.01.2006 and grant first MACP w.e.f. 01.09.2008 in Pay Band of Rs.5200-20200 with Grade pay of Rs.2400/- with all consequential benefits including arrears of pay and allowances along with interest in terms of decision of this Court in the case of V.K. Mittal Vs. U.O.I. & Others on 21.08.2003 (O.A. No. 1035/HR/2002), as upheld up to the Hon'ble Supreme Court.

2. On the commencement of hearing, learned counsel for the applicant submitted that the applicant had already made a representation dated 21.05.2014 (Annexure A-9) to the respondents, followed by subsequent ones dated 10.06.2014 and 27.06.2014 (Annexures A-9 and A-10) to extend him the relevant benefits in terms of the decision of this Court in the case of V.K. Mittal (supra), but no conclusion thereon has been communicated to him till date.

3. Learned counsel for the applicant makes a statement at the Bar that the applicant would be satisfied if the O.A. is disposed of with a direction to the respondents to consider and take a view on his claim in the light of judgment rendered by the Hon'ble Supreme Court in the case of V.K. Mittal (supra) within a stipulated period.

4. In view of the limited prayer of the applicant and for the order which we propose to pass, there is no need to issue notice to the respondents and call for their reply. Moreover, the respondents have

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not yet taken a view on the representation, which they are supposed to take within a period of six months. Furthermore, the applicant has availed the remedy available to him under Section 20 of the Administrative Tribunal Act by filing a representation but no decision, whatsoever, has been taken by the respondents thereon till date, therefore, non-issuance of notice will not prejudice the interests of the respondents.

5. Accordingly, the O.A. is disposed of, without going into the merits of the case, with a direction to the respondents to consider the claim of the applicant and take a view thereon in the light of the judgment rendered in the case of V.K. Mittal (supra), within two months from the date of receipt of a certified copy of the order. If the applicant is found entitled to the relevant benefits, the same may be granted to him, otherwise a speaking and reasoned order be passed on his claim and a copy thereof shall be communicated to him. Needless to say that we have not expressed any opinion on the merits of the case.

6. No costs.

(RAJWANT SANDHU)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 28.10.2014

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