

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/01158/2014

Decided on: 24.12.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Jasbir Singh son of S. Sohan Singh, aged 56 years, Superintendent, Customs & Central Excise Commissionerate, Chandigarh -II, Resident of House No. 130, Sector 55, Chandigarh.

.....Applicant

Versus

1. Union of India through the Secretary, Government of India, Ministry of Home Finance, Department of Revenue, New Delhi.
2. Chief Commissioner, Customs & Central Excise (CZ), Chandigarh I, Central Revenue Building, Plot No. 19, Sector 17 C, Chandigarh -160017.
3. Commissioner, Central Excise Commissionerate, Chandigarh-II.

.....Respondents

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

Order (Oral)

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

1. By means of the present O.A., the applicant has sought issuance of a direction to the respondents to remove anomaly in his pay-fixation vis-à-vis Sh. G.S. Bhullar who is junior to him in joining the service.

2. Learned counsel for the applicant submits that one Sh. Jaswant Singh, who is senior to the applicant, has been granted the benefit of step-up of pay at par with his junior Sh. G.S. Bhullar, therefore, the applicant, too, is entitled to the step-up of pay at par with Sh. G.S. Bhullar, who is junior to him in service and that he has submitted a representation dated 14.08.2013 (Annexure A-9) for redressal of his grievance. He has placed reliance upon instructions dated 26.06.2013 (Annexure A-11) to buttress his claim. Learned counsel 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 take a view on his representation within a stipulated period.
3. Considering that the applicant is simply asking for a direction to the respondents to decide her pending representation, there is no need to issue notice to the respondents and call for their reply. Also no prejudice shall be caused to the respondents due to non-issuance of notice as they have not yet decided the representation of the applicant which they are supposed to do within a period of six months as per Section 20 of the Administrative Tribunal Act, 1985.
4. Accordingly, the O.A. is disposed of, with a direction to the respondents to consider the representation dated 14.08.2013 (Annexure A-9) in accordance with Law and the relevant

instructions on the subject by passing a speaking and reasoned order within a period of two months from the date of receipt of a copy of this order. While deciding the representation of the applicant the fact that one junior namely Sh. G.S. Bhullar has been granted the relevant benefits, shall be taken into consideration. Needless to say that we have not commented on the merits of the case.

5. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 24.12.2014

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