

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH,
ALLAHABAD**

Dated: This the 27th day of March 2018.

Original Application No. 330/00297 of 2018

PRESENT:

HON'BLE DR. MURTAZA ALI, MEMBER – J

HON'BLE DR. MRUTYUNJAY SARANGI, MEMBER -A

Israr Ahmad Khan aged about 63 years, son of Late A.A. Khan,
Resident of 51 Parahu Pul, Near New Maszid, Pathora Road,
Mughalsarai, Chandauli.

.....**Applicant**

By Adv: Shri Jaswant Singh

V E R S U S

1. The Union of India through the General Manager, East Central Railway, Hajipur, Bihar.
2. The General Manager (Personnel), East Central Railway, Hajipur, Bihar.
3. The Divisional Railway Manager, East Central Railway, Mughalsarai (U.P).
4. The Senior Divisional Personnel Officer, East Central Railway, Mughal Sarai (U.P).
5. The Railway Board, through the Chairman New Delhi.

..... Respondents

By Adv: Shri Rishi Kumar

ORDER**BY HON'BLE DR. MURTAZA ALI, MEMBER – J**

Heard Shri Jaswant Singh counsel for the applicant and Shri Rishi Kumar counsel for the respondents.

2. The applicant has filed this O.A. under section 19 of Administrative Tribunals Act, 1985 seeking to quash the impugned order dated 28.11.2017 by which his claim under M.A.C.P Scheme for granting Pay Grade 4600/4800 has been rejected.

3. At the outset, the learned counsel for the applicant would contend that his case is squarely covered by the order dated 1.2.2006 passed by C.A.T. Allahabad Bench in OA No. 1268/04, order dated 15.9.2006 passed by Hon'ble High Court, Allahabad in Writ Petition No. 51293/2006, order dated 19.7.2013 passed by Hon'ble High Court Allahabad in Writ A No. 18244/2013, order dated 14.1.2015 passed by C.A.T. Patna Bench in OA No. 051/00027/2014 and order dated 14.12.2017 passed by C.A.T. Allahabad Bench in OA No. 330/01488/17. It has been submitted that the applicant is similarly situated to the applicants of above O.As and the orders passed in the above O.As have already been complied with by the

respondents and, therefore, he is also entitled to get similar benefit.

4. Learned counsel for the respondents stated that they have no objection to extend the similar benefit to the applicant if he is similarly placed so far as applicants of aforesaid O.As.

5. In view of the above, the O.A. is allowed and the impugned order dated 28.11.2017 is quashed. The respondents are directed to extend the similar benefit to the applicant if he is similarly situated so far as applicants of aforesaid O.As are concerned, for drawing Grade Pay of Rs. 4600/4800 within a period of 2 months from the date of receipt of certified copy of this order. No order as to costs.

Member (A)

Member (J)

Manish/-