

Central Administrative Tribunal Principal Bench, New Delhi

C.P.No.155/2017 in O.A.No.1322/2016

Monday, this the 8th day of May 2017

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Ashok Kumar Joshi
s/o Mr. Umaid Raj Joshi
r/o C-12/213, Yamuna Vihar
Delhi – 110 053

..Applicant

(Mr. Ramesh Shukla, Advocate for Mr. K K Sharma, Advocate along with Applicant)

Versus

1. Dr. M M Kutty
Chief Secretary
NCT Govt. of Delhi
New Secretariat, IP Extension
New Delhi – 110 002
2. Mr. Rajender Kumar
The Principal Secretary (Services)
NCT Govt. of Delhi
New Secretariat, IP Extension
New Delhi – 110 002
3. Mr. Shiv Shanker Kumar
The Superintendent (ACP) Cell
Services Department
Govt. of NCT of Delhi
5th Level, A Wing, Delhi Secretariat
New Delhi – 110 002
Lodhi Road, New Delhi – 110 003

..Respondents

(Mr. Shiv Shanker Kumar, Superintendent (ACP Cell), Departmental Representative)

O R D E R (ORAL)

Justice Permod Kohli:

Vide the following order dated 08.04.2016 passed in O.A. No.1322/2016, a direction was issued by the Tribunal to decide the legal notice served by the applicant:-

“5. This O.A. is accordingly disposed of with a direction to the respondents to consider the legal notice served by the applicant and take a decision within a period of two months. In the event, the claim of the applicant is to be rejected, it shall be by a reasoned and speaking order. Needless to say that the applicant shall have liberty to seek redressal, if aggrieved. No order as to costs.”

2. The respondents have today filed the compliance report stating therein that the applicant has been granted benefit of third financial upgradation under Modified Assured Career Progression (MACP) Scheme vide order No.39 dated 28.10.2016 on completion of 30 years of regular service with two promotions. The respondents have also placed on record copies of the orders passed by them. Apart from that, a cheque of `37,568/- has also been handed over to the applicant, who is present in the Court. Thus, it appears that apart from taking a decision on the legal notice, the respondents have granted benefits to the applicant. However, the applicant submits that the entire benefits have not been granted to him. In the event there is any discrepancy or deficiency, the applicant is at liberty to make representation to the respondents for their consideration and in such an eventuality, the respondents will duly examine the representation and if any further benefit is payable to him, the same shall be paid to the applicant.

4. With these observations, proceedings dropped.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

May 8, 2017
/sunil/