

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.3366/2015

this the 9th day of September, 2015

Hon'ble Mr. V.Ajay Kumar, Member (J)
Hon'ble Mr. P.K.Basu, Member (A)

Upinder Mani @ Upender Mani

Aged about 59 years

S/o Late Shri Thakur Prasad

Retired under VRS as LDC in Education Dept.

of the Govt of NCT of Delhi

R/o C-251, Indra Park, Nazafgarh,

New Delhi -43

.... Applicant.

(By Advocate: Shri Amit Kumar)

Versus

The GNCT & Others, through

1. The Chief Secretary

Govt. of NCT Delhi

Players Building, I.P.Estate

New Delhi

2. The Chief Engineer (I&FC) Zone-I

Govt. of NCT of Delhi

4th Floor, ISBT Building

Kashmere Gate,

Delhi – 110 006

3. The Superintending Engineer

Flood Circle-IV

Govt. of NCT of Delhi

Basaidarapur Office Complex

Delhi

.....Respondents

ORDER (ORAL)

By Hon'ble Mr. V.Ajay Kumar,

Heard the learned counsel for the applicant.

2. The applicant, retired as LDC filed the present OA seeking the following reliefs :-

“(i) Call for the records leading to delay of more than five years till date in granting 3rd MACP and the responsible officer i.e. respondent no.3 must be punished or imposed exemplary cost.

(ii) Direct the respondent to grant 3rd MACP to the applicant in PB-I, Rs.5200-20,200/- with Grade Pay Rs.2400/- w.e.f.14.07.2010 with arrears.

(iii) Direct the respondent to pay 18% compound interest upon the benefits of 3rd MACP w.e.f.14.07.2010 up to the date of actual payment, as the applicant has been deprived from such valuable money till his retirement w.e.f.20.03.2015 and the respondents illegally withheld the above said amount for more than five years without any rational basis.

(iv) Pass such other or further order (s)/direction(s) as deem just and proper in the interest of justice.”

4. “The main grievance of the applicant is that his 3rd MACP was due in the year 2010, however, respondents have not granted the same till date. It is also submitted that vide Annexure A-4 dated 03.12.2014, though the respondents stated that his MACP case is under process, they have not passed any final order till date.

5. In the circumstances, the OA is disposed of, at the admission stage without going into the merits of the case, by directing the respondents to take a final view on the issue of granting of MACP benefits to the applicant and to pass appropriate speaking and reasoned order within a period of 90 days from the date of receipt of a copy of this order, in accordance with law.

No order as to costs.

Let a copy of the O.A. is enclosed to this order.

(P.K.Basu)
Member (A)

(V.Ajay Kumar)
Member (J)

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