

Central Administrative Tribunal Principal Bench

OA 3370/2015

this the 9th day of September, 2015

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

1. Rahul Sudan,
Junior Staff Officer
Aged about 46 years
S/o Shri Krishan Kumar Sudan
R/o 1580/G1, Flat No.4, 1st Floor
Raj Block, Naveen Shahdara
Delhi – 110 032

2. Suresh Kumar Shokeen
Junior Staff Officer
Aged about 47 years
S/o Shri Rattan Singh
R/o Khasra No.30/22/23
Harijan Basti, 2nd Floor, Mangolpur Kalan
New Delhi – 110 085

(By Advocate:Shri M.K.Bhardwaj)

Versus

Govt. of NCT of Delhi & Ors. through

1. Chief Secretary
Govt. of NCT of Delhi
New Secretariat, I.P.Estate
New Delhi
2. Director General of Home Guards
Directorate General of Home Guards
Raja Garden
New Delhi Respondents

ORDER (Oral)**By Hon'ble Mr. V.Ajay Kumar, Member (J)**

Heard the learned counsel for the applicant.

2. MA No.2986/2015 filed for joining together is allowed.

3. The applicants, who are working as Junior Staff Officers under the respondents, filed the present OA seeking the following reliefs:-

- "(a) To declare the action of the respondents in not granting the scale of Rs.15600-39100 (PB-3) with Grade pay of Rs.6600 to applicants as illegal and arbitrary.
- (b) To direct the respondents to grant scale of Rs.15600-39100 with Grade Pay of Rs.6600 attached to the promotional posts, 1st financial upgradation to the applicants under MACP from due date with all arrears of pay.
- (c) To declare the OM/MACP dated 19.05.2009 as unconstitutional to the extent the same deny the next promotional scale attached to the promotional post as 1st, 2nd & 3rd financial upgradation as illegal, arbitrary and unjustified.
- (d) To allow the OA with costs.
- (e) Pass such other direction or directions order or orders as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice."

4. It is submitted that the applicants have made a representation vide annexure A-7 dated 09.06.2014 ventilating their grievances to the respondents, however, the respondents have not passed any order thereon till date. It is also submitted that this case is squarely covered by the judgment of the several courts, annexed with the OA.

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 consider the representation of the applicants and pass

appropriate reasoned and speaking order within 90 days from the date of receipt 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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