

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 4261/2017

New Delhi, this the 4<sup>th</sup> day of December, 2017

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)  
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

Hari Om Sharma,  
Aged about 64 years (retired)  
S/o Late Shri Ram,  
Ex-Stg. Assistant,  
C/o H.No. 175, VPO Bhatal,  
Dwarka, Sector-26,  
New Delhi-110077. .. Applicant

(By Advocate : Ms. M. Sharda)

Versus

1. Union of India  
Through Secretary,  
Ministry of Communication,  
Director General of Posts,  
Dak Bhawan, New Delhi-110001.
  
2. Assistant Director (Staff and Legal)  
Department of Posts,  
Delhi Circle, Meghdoot Bhawan,  
New Delhi-110001.
  
3. The Superintendent,  
Department of Post,  
O/o The Director New Delhi  
Stg. Division,  
New Delhi-110077. .. Respondents

(By Advocate : Shri A.K. Singh)

**ORDER (ORAL)****By Mr. V. Ajay Kumar, Member (J)**

Heard Ms. M. Sharda, learned counsel for the applicant and Shri A.K. Singh, learned counsel who appeared on behalf of the respondents on receipt of advance notice.

2. The applicant, a retired Sorting Assistant, filed the O.A. seeking the following relief(s):

- “(1) direct the respondents to grant 3<sup>rd</sup> MACP to the applicant as per the law laid down in O.A. No. 382/2011, Jodhpur CAT, CWP No.11336/2012 High Court of Rajasthan, Jodhpur Bench and in O.A. No. 612/2013 CAT (PB), Review Application No. 126/2016 and SLP (C) No. 4848/2016, Review Petition (C) No. 1939/2017 before the Supreme Court.
- (2) direct the respondents to issue/pass necessary orders/directions for grant of 3<sup>rd</sup> pay upgradation to the applicant under the MACP Scheme with all other consequential monetary reliefs including interest on arrears at the GPF rate of interest;
- (3) Award cost of litigation in favour of the applicant and against the respondents who have afflicted this avoidable litigation, mental agony and the expenses on the applicant; and
- (4) Pass such further order(s) in favour of the applicant as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

3. It is submitted that in identical circumstances, the respondents have granted reliefs to certain similarly situated persons but not granted the same to the applicant, though he made a representation on 13.11.2017 (Annexure A-5).

4. It is seen that the Annexure A-5 representation does not contain any details.

5. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the other merits of the case, by permitting the applicant to make a fresh detailed representation to respondent No.1, by giving all the particulars, within two weeks from the date of receipt of a copy of this order and on receipt of such a representation from the applicant, the respondent No.1 shall consider the same and pass an appropriate speaking and reasoned order thereon within 60 days therefrom. No order as to costs.

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

**(NITA CHOWDHURY)**  
**Member (A)**

**(V. AJAY KUMAR)**  
**Member (J)**

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