

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 4513/2015

New Delhi, this the 27th day of July, 2016.

HON'BLE MR. P.K. BASU, MEMBER (A)
HON'BLE MR. RAJ VIR SHARMA, MEMBER (J)

T. M. Sampath
S/o Late Shri Munisamy Mudaliar
Aged about 60 years
Retired as Administrative Officer
Temporarily at C-2C/2/8 Janakpuri,
New Delhi-110 058.Applicant

(Applicant in person)

Versus

Union of India through

1. The Secretary to Government of India
Ministry of Water Resources
& Ex-officio Chairman,
Governing Body of NWDA
Shram Shakti Bhawan
Rafi Marg, New Delhi.
2. The Director General
National Water Development Agency
18-20, Community Centre,
Saket, New Delhi-110 017. ...Respondents

(By Advocate : Shri R.N. Singh)

ORDER (Oral)

By Hon'ble Mr. P.K. Basu

This O.A. has been filed primarily by the applicant seeking that the respondents considered his case in the Screening Committee for 3rd financial upgradation under the MACP Scheme. The

respondents clarified that this has been pending because of criminal case pending against the applicant.

2. In fact, in his application dated 17.04.2014 addressed to the D.G., National Water Development Agency (Respondent No.2), the applicant has himself stated as follows:

“As regards the court cases, it is submitted that SBI filed two cases under Negotiable Instruments Act and for the same another two civil suits. S/Shri Ashok Kumar Singhal and K. Sivamani of Janakpuri have filed one court case each under Negotiable Instruments Act and for the same one civil suits. Total four cases under NI Act and four civil suits are pending.”

3. The applicant, who appeared in person, states that three out of four cases under the Negotiable Instruments Act (cheque bouncing) have since been decided in his favour. However, in the fourth case, the charges have not yet been framed by the court.

4. We do not find it necessary to continue this O.A. any further and, therefore, the O.A. is disposed of with a direction to the respondents that as and when the applicant produces evidence that he has been acquitted from all the cases pending against him, the respondents shall consider his case for grant of 3rd financial upgradation under MACP Scheme, in accordance with rules. No costs.

(Raj Vir Sharma)
Member (J)

(P.K. Basu)
Member (A)

/Jyoti/