

Central Administrative Tribunal

Principal Bench

New Delhi

OA. No. 4634/2015

New Delhi this the 21<sup>st</sup> Day of December, 2015

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

1. Ati Ram Rabha, Evaluation Assistant,  
Aged about 55 years  
S/o Late Sh. Kuhi Ram Rabha,  
R/o AD-245, Rabindrapally, Krishnapur,  
Kolkata-700101.
2. Dr. Smt. Kishori Shukla, Evaluation Assistant,  
Aged about 45 years,  
W/o Sh.Dr. Dharendra Shukla,  
R/o 352/2C, Saket Nagar, Bhopal M.P. -24.
3. Smt. K. Radha, Evaluation Assistant  
Aged about 41 years  
S/o Sh. S. Kalippan,  
R/o 4/6 Vivekanandar, St. Guru Swamy Nagar,  
Gowrivakkam, Chennai-73
4. Dr. Mahatim Ram, Evaluation Assistant,  
Aged about 55 years  
S/o Sh. Parasan Ram,  
R/o BD-952, Sarojini Nagar,  
New Delhi -110023. ....Applicants

(By Advocate: Ms. Priyanka Bhardwaj, proxy for Mr. M.K. Bhardwaj)

Versus

Union of India & Ors. through

1. The Secretary  
Ministry of Health & Family Welfare  
Govt. of India,  
Nirman Bhawan, New Delhi.
2. The Dy. Director General  
Statistics Division  
Ministry of Health & Family Welfare  
Govt. of India, Nirman Bhawan, New Delhi.
3. The Department of Personnel Training  
Govt. of India,  
Ministry of Personnel and Public Grievances,  
North Block, New Delhi  
(Through its Secretary) ..... Respondents

## **O R D E R (ORAL)**

**By Hon'ble Shri V. Ajay Kumar, M(J):-**

MA NO. 3417/2015 filed for joining together is allowed.

The applicants, who are working as Evaluation Assistants, filed the present OA seeking the following reliefs :-

- (a) To quash and set-aside the impugned order dated 20.10.2014 and declare the action of the respondents in not granting the scale of Rs.15600-39100( PB-3) with Grade Pay of Rs.6600 & 7600 to the applicants as illegal and arbitrary.
- (b) To direct the respondents to grant scale of Rs. 15600-39100 with Grade Pay of Rs. 6600 & 7600 as 2<sup>nd</sup> and 3<sup>rd</sup> financial upgradation to the applicants under MACP from due date with all arrears of pay.
- (c) To read down the para 2 of Annexure- 1 to MACP Scheme dated 19.05.2009 to the extent it deny the next promotional scale attached to the promotional post as 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> financial upgradation as illegal, arbitrary and unjustified.
- (d) To allow the O.A. 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.

2. It is submitted that the applicants have made number of representations including the representation at Annexure A-7 (Colly) dated 03.09.2013 ventilating their grievances to the respondents, however, they have not passed any order thereon till date.

3. In view of these circumstances, we dispose of the present OA, at the admission stage itself, without going into the merits of the case by directing the respondents to consider and decide the representation of the applicants by passing a reasoned and speaking order thereon within 90 days from the date of receipt of a copy of this order, in accordance with the law. No costs.

**(P.K. Basu)**  
**Member (A)**

**(V.Ajay Kumar)**  
**Member (J)**