

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**OA 4685/2015
MA 4390/2015
MA 4391/2015**

this the 23rd day of December, 2015

Hon'ble Mr. V. Ajay Kumar, Member (J)

Hon'ble Mr. P.K.Basu, Member (A)

1. Bachan Ram, Aged 61 years
S/o Shri Sadari Ram
Retired Chageman from
Field Gun Factory, Kanpur
Presently r/o plot No.222, Sanik Enclave
Sector 1, Mohan Garden
Uttam Nagar, New Delhi.
2. Bharat Ram, Aged 68 years
S/o Late Shri R.N.Ram
Retired Supervisor NT, from
Field Gun Factory, Kanpur
Presently r/o A-30, Nanke Parkm
Matiyala Road, Uttam Nagar,
New Delhi – 59. Applicants

(By Advocate: Shri Yogesh Sharma)

VERSUS

1. Union of India through the Secretary
Department of Defence Production
Ministry of Defence, Govt. of India
South Block
New Delhi.
2. The Chairman
Ordinance Factory Board
Ministry of Defence
10 A, Shahid Khudi Ram Boss Road
Calcutta.
3. The General Manager
Field Gun Factory
Distt. Kanpur (UP). Respondents

ORDER (ORAL)

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

Heard the learned counsel for the applicants.

2. MA No.4390/2015, filed for grant of permission to file a joint application, is allowed. MA No.4391/2015, filed for exemption in filing the English Translation of Hindi documents, is also allowed.

3. The applicants no.1 & 2, a retired Chargeman and Supervisor NT respectively, filed the present OA seeking the following reliefs:-

- “(i) That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to treat the appointment of the applicants to the post of LDC as a fresh/Direct appointment for the purpose of granting the financial benefits under ACP/MACP scheme by way of extending the benefits of the judgments dated 17.12.2012 and dated 10.10.2013 passed by Chandigarh Bench in OA No.468-CH-2011 and in OA No.1399-CH-2013 and further pass an order directing the respondents to grant 2nd financial upgradation on completion of 24 of service under ACP scheme w.e.f.23.01.2005 in the scale of Rs.5000-8000 (Grade pay of Rs.4200/- w.e.f.01.01.1996) to both the applicants and the 3rd financial upgradation to the applicant No.1 w.e.f.23.1.2011 in Grade pay of Rs.4600/- under MACP scheme from due date with all the consequential benefits including the arrears of difference of pay and allowances with interest including the revision of retirement benefits with arrears of difference with interest.
- (ii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of litigation.”

4. It is submitted that the applicants have made number of representations followed by Annexure A-10, Legal Notice dated 03.12.2015 ventilating their grievances to the respondents, however, the respondents have not passed any 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 consider the said Legal Notice dated 03.12.2015 and pass appropriate

reasoned and speaking order within 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., be enclosed to this order.

(P.K.Basu)
Member (A)

(V. AJAY KUMAR)
Member (J)

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