

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

O.A. No. 3633/2014

Reserved on :19.09.2018
Pronounced on :20.09.2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

Sube Singh
S/o Late Shri Shis Ram
R/o H.No.107, Street No.4,
Ward No.1, Vikas Nagar,
Line Par, Bahadurgarh,
Haryana-124507
Ex-Superintendent.

.. Applicant

(By Advocate : Shri Randhir Singh)

Versus

1. Union of India
Through
The Directorate of Preventive Operations,
Customs & Excise,
4th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi.
(Through: Commissioner)
2. Department of Personnel & Training,
Ministry of Personnel, Public Grievances &
Pensions,
North Block,
New Delhi-110001.
(Through: Secretary)
3. Ministry of Finance,
North Block,
New Delhi-110001.
(Through: Secretary)

.. Respondents

(By Advocate : Shri Rajeev Kumar)

ORDER

By Mr. V. Ajay Kumar, Member (J)

The applicant, who retired as Superintendent, on attaining the age of superannuation on 30.06.2008, filed the OA seeking the following reliefs:-

“(i) Direct the respondents to grant financial upgradation in OM No.35034/3/2008-Estt(D) dated 19.05.2009 as per his entitlement with all retrospective benefits.

(ii) Call for all the records of the respondents pertaining to all such financial upgradation including that of Mr. Surinder Singh.

(iii) Grant consequential reliefs in terms of the prayer (i) to (ii) above”.

2. Heard Shri Randhir Singh, learned counsel for the applicant and Shri Rajeev Kumar, learned counsel for the respondents and perused the pleadings on record.

3. In short, the applicant is seeking a direction to the respondents to grant the financial upgradations under MACP Scheme issued vide Annexure A-5 Office Memorandum dated 19.05.2009. A bare perusal of the said OM dated 19.05.2009, reveals that the said MACP Scheme came into operation with effect from 01.09.2008 and the financial upgradations, as per the provisions of the earlier ACP Scheme of August, 1999, would be granted till 31.08.2008. When, admittedly, the applicant retired from service on 30.06.2008, i.e., even before the OM dated 19.05.2009 came into force, we do not find any merit in the OA, which was filed seeking granting of financial upgradations under

the MACP Scheme which came into force with effect from 01.09.2008.

4. In the circumstances and for the aforesaid reasons, we do not find any merit in the OA and accordingly the same is dismissed. No costs.

(A.K. BISHNOI)
Member (A)

(V. AJAY KUMAR)
Member (J)

RKS