

**Central Administrative Tribunal  
Principal Bench**

**OA No.4014/2018**

New Delhi, this the 23<sup>rd</sup> day of October, 2018

**Hon'ble Mr. V. Ajay Kumar, Member (J)**  
**Hon'ble Mr. A.K. Bishnoi, Member (A)**

Shri Jamna Dass Gupta (Group B),  
Aged about 69 years (retired),  
Ex-Stg. Assistant,  
S/o Late Prabhu Dayal,  
R/o L-50 IInd Floor, Saraswati Garden,  
New Delhi-110015.

...Applicant

(By Advocate : Ms. M. Sharda )

**Versus**

1. Union of India,  
Through Secretary cum Director General of Posts,  
Ministry of Communications,  
Dak Bhawan,  
New Delhi-110 001.
2. Assistant Director (Staff and Legal),  
Department of Posts,  
Delhi Circle,  
Meghdoot Bhawan,  
New Delhi-110001.
3. The Assistant Superintendent,  
RMS, Gole Dakkhana,  
New Delhi-110001.

...Respondents

(By Advocate : Ms. Shireen Khan for Shri Rishabh Sahu)

**ORDER (ORAL)**

**Mr. V. Ajay Kumar, Member (J) :-**

Heard the learned counsel for applicant and Ms. Shireen Khan for Shri Rishabh Sahu, learned counsel, on receipt of advance notice, on behalf of respondents.

2. The applicant, a retired Sorting Assistant filed the OA seeking the following reliefs :-

- “(1) grant 3<sup>rd</sup> MACP benefit to the applicant as was granted to other similarly situated persons like him in terms of law laid down in OA No.382/2011, Jodhpur CAT,, CWP No.11336/2012 High Court of Rajasthan, Jodhpur Bench and in OA 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 and all other cases on the subject
- (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 the applicant made number of representations including Annexure-A/2 dated 16.04.2018 ventilating his grievances to the respondents, however, no orders have been passed thereon till date.

4. In the circumstances, the OA is disposed of, at the admission stage itself, without going into the merits of the case, by directing the respondents to consider the Annexure-A/2 representation of the applicant dated 16.04.2018, and to pass appropriate speaking and reasoned orders thereon, in accordance with law, within 90 days from the date of receipt of a certified copy of this order. No costs.

Let a copy of the OA be enclosed to this order.

( A.K. Bishnoi )  
Member (A)

( V. Ajay Kumar )  
Member (J)

‘rk’