

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

O.A. No. 4258/2018
M.A. No. 4814/2018

The 19th day of November, 2018

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. ARADHANA JOHRI, MEMBER (A)

Janak Rohit (Age about 57 years),
Working as Helper Khallasi/AC/CHG/SSE/DEE
Sarai Rohilla, New Delhi
R/o H.No.78/27, Gali No.2,
Shiv Colony, Rewari
District Rewari, Haryana.

.. Applicant

(By Advocate : Shri Aman Kumar for Shri A.K. Bhakt)

Versus

Union of India & Others, through

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Estate Entry Road,
New Delhi Railway Station, New Delhi.
3. The Sr. Divisional Personal Officer,
DRM's Office, Northern Railway
Delhi Division, Estate Entry Road,
Paharganj, New Delhi.

.. Respondents

ORDER (ORAL)

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

Heard the learned counsel for the applicant.

2. MA 4814/2018 filed for seeking exemption is allowed.

3. The applicant filed the O.A. seeking the following relief(s):

- “(i) To declare the inaction of the respondents in the case of consideration 3rd financial upgradation under MACP Scheme to the applicant is illegal, unjust, arbitrary, malafide, discriminatory, unconstitutional violative of articles 14 & 16 of the Constitution of India and against the principle of natural justice.
- (ii) Direct the respondents to grant the 3rd financial upgradation under MACP Scheme to the applicant from the date of his entitlement counting his entire service period as per rule considering the representation dated 30.08.2017 (Annexure A/1) of the applicant.
- (iii) Direct the respondents to produce the entire relevant records of the case before this Hon’ble Tribunal for proper adjudication.
- (iv) To allow this OA with exemplary cost on the respondent for causing undue harassment.
- (v) To pass any other order or orders which this Hon’ble Tribunal may deem fit and proper in the facts and circumstances of the present case.”

4. It is submitted that the applicant made number of representations including Annexure A/1 dated 30.08.2017 ventilating his grievances to the respondents. However, no orders have been passed thereon till date.

5. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by directing the respondents to consider Annexure A/1 representation dated 30.08.2017 of the applicant and to pass appropriate reasoned and speaking orders thereon, in accordance with law, within 90 days

from the date of receipt of a certified copy of this order. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(ARADHANA JOHRI)
Member (A)

(V. AJAY KUMAR)
Member (J)

/Jyoti /