

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
(CIRCUIT BENCH AT JAMMU)**

OA No. 061/00048/2016

Date of decision- 19.04.2018

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

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MES No.365134, Sh. Hushyar Singh, age 64 years, S/o Sh. Jaimal Singh, C/o Sh. Parbhat Singh, R/o H.No.08, Lane No.1, Adarsh Nagar, Barnai Road, Bantalab, Jammu.

...APPLICANT

BY ADVOCATE : Mr. Anil Mahajan.

VERSUS

1. Union of India, through Secretary to Govt., Ministry of Defence, New Delhi.
2. Engineer-in-Chief, Army Headquarters, New Delhi.
3. Chief Engineer, Western Command, Chandimandir, Panchkula.
4. Chief Engineer, Pathankot Zone, Pathankot.
5. Headquarter, Commander Works Engineer, Jammu.
6. Garrison Engineer, Satwari, Jammu.

...RESPONDENTS

BY ADVOCATE: Mr. Harshwardhan Gupta.

ORDER (ORAL)

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SANJEEV KAUSHIK, MEMBER (J):-

1. In the present Original Application (O.A.), the solitary grievance of the applicant is for grant of stepping up, as persons junior to him is getting higher scale than him, therefore, a prayer has been made to issue direction to step up his pay at par with his immediate junior by removing anomaly.

2. Mr. Anil Mahajan, learned counsel appearing on behalf of the applicant, very fairly submitted that though the applicant had retired, but while he was in service, he submitted representations followed by legal notice dated 04.05.2016 (Annexure P-15), but the same have not been answered by the respondents till date. This fact has also been admitted by the learned counsel for the respondents during the course of hearing.

3. Considering the fact that the matter is pending consideration in the shape of representations as well as legal notice, which have not been answered by the respondents, we deem it appropriate, let the respondents at the first instance to consider and decide his legal notice and pass a reasoned and speaking order thereon in accordance with law, and if, the persons junior to the applicant was getting higher pay than the applicant, and his case come within the four corners of stepping up of pay in term of FR-22 then the benefit of the same be granted to him, otherwise, reasoned and speaking order be passed by the competent authority amongst the respondents and the same be communicated to him. The OA stands disposed of accordingly.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 19.04.2018.

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