

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00286/2018

Dated Tuesday the 27th day of February Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

M.Rajkumar Edwin,
Station Superintendent,
Sengottai Railway Station.Applicant

By Advocate M/s. R. Pandian

Vs

Union of India rep by,
1.The General Manager,
Southern Railway,
Park Town,
Chennai 600003.
2.The Sr. Divisional Personnel Officer,
Southern Railway,
Madurai Division,
Madurai 625010.Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for all the records relating to the non-consideration of the applicant's request for grant of III MACP benefits, to quash the impugned order No. U/P353/OA 1691/2017 dated 29.12.2017 passed by the 2nd respondent consequently to direct the respondents:-

- a. to grant the III MACP benefits in PB-2 (9300-34800) with GP 4800 w.e.f 19.12.2014 and to refix the pay of the applicant accordingly;
- b. to sanction other consequential benefits; and
- c. to pass such other order / orders as this Hon'ble Tribunal may deem fit and thus to render justice.”

2. Learned counsel for the applicant submits that the applicant is aggrieved by Annexure A5 impugned order dt. 29.12.2017 by which his representation for 3rd financial upgradation under MACP had been rejected. It is submitted that the representation was rejected on the ground that though his claim was similar to that of one T. Thirumalai, SM/MAS who had got a favourable order from the Hon'ble Madras High Court, the order of the Hon'ble High Court had since been taken up in RP 160/2016 which is still pending. The applicant's claim could not be granted as the order of the Hon'ble High Court had not been complied with in the said case and the same had not attained finality.

3. Mr. P. Srinivasan appears and takes notice for the respondents. He submits that as the applicant relies on the order of the Hon'ble High Court which has not yet attained finality, the OA could be disposed of with a direction to the respondents to reconsider the

matter, should the review petition be decided in favour of the employee concerned.

4. Keeping in view the above submission, I deem it appropriate to dispose of this OA with the following direction:

“The respondents shall reconsider Annexure A5 impugned order dt. 29.12.2017 in terms of the order to be passed by the Hon'ble Madras High Court in RP 160/2016, if the applicant is similarly placed.”

5. OA is disposed of with the above direction at the admission stage.

(R. Ramanujam)
Member(A)
27.02.2018

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