

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : GWALIOR

Original Application No.202/00995/2018

Gwalior, this Wednesday, the 24th day of October, 2018

HON'BLE MR. R. RAMANUJAM, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Om Prakash Pawaiya, S/o Shri Sumer Singh, aged – 61 years, Occupation – Retired, R/o Suresh Nagar, Near Lal Bahadur Shastri College, Thatipur, Morar, Gwalior, M.P. 474011, Mobile : 9479311048
-Applicant

(By Advocate – Shri Alok Kumar Sharma)

V e r s u s

1. Union of India through the Secretary, Department of Revenue, Ministry of Finance, New Delhi – 110001.
2. Assistant Narcotics Commissioner, Central Bureau of Narcotics, 19, The Mall, Morar, Gwalior, M.P. – 474006.
3. Director (P.P.), Ministry of Personnel, Public Grievances and Pensions, Department of Pension and Pensioners Welfare, Loknayak Bhawan, Khan Market, New Delhi – 110013.

- Respondents

O R D E R (O R A L)

By R. Ramanujam, AM.

Heard. The applicant has filed this Original Application seeking following reliefs:

“8.1 That, the Hon’ble Tribunal may kindly be pleased to allow this OA and may further be pleased to direct the respondents to remove pay anomaly in the case of applicant and properly fixed the pay scale of applicant staring from 26.09.1983 and extend the ACP/MACP benefits in the

proper pay scale as per the entitlement of applicant. The respondents may further be directed to calculate the arrear of such pay fixation and re-fixed the pension and retirement dues of the applicant and pay the arrear of the same accordingly.

8.2 That, respondents may further be directed to pay the arrears of aforesaid revision of pay scale with 12% interest p.a. as early as possible.

8.3 Any other suitable relief which this Hon'ble Tribunal may deems fit and proper in the circumstances of the case may also be given to the applicant along with cost of this O.A.”

2. It is submitted that the applicant was initially appointed as a Wash Boy in the office of second respondent by an order dated 16.06.1982. Subsequently, his appointment was modified as Salesman by an order dated 01.08.1982. The applicant was granted his first ACP to the Pay Scale of Rs.3050-4590 on 09.08.1999 and the second ACP in the Grade Pay of Rs.2,400/- w.e.f. 26.09.2007.

3. It is alleged that the pay scale granted to the applicant was not in accordance with the decision of Hon'ble Supreme Court in similar cases and, therefore, the applicant made a representation for a higher pay scale/grade pay. By a letter dated 17.06.2011, the applicant was informed that his representation was being forwarded to the competent authority. The applicant has since retired from service on 31.03.2017 but his grievance has not yet been redressed.

4. Learned counsel for the applicant would submit that since the applicant's representation had not been rejected, the applicant would be satisfied if he is permitted to make a fresh representation regarding his grievance to the competent authority on the lines of the contentions raised in this O.A and the competent authority directed to take a decision within a time limit to be set by this Tribunal.

5. Keeping in view the limited relief sought and without going into the substantive merits of the case, we deem it appropriate to permit the applicant to make a fresh representation regarding his grievance within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the competent authority shall decide the same in accordance with law and pass a reasoned and speaking order within a period of three months thereafter.

6. The O.A is disposed of in the above terms. No costs.

**(Ramesh Singh Thakur)
Judicial Member**

**(R. Ramanujam)
Administrative Member**

am/-