

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

OA No.517/2018

Dated this Wednesday the 5th day of September, 2018

**Coram: Hon'ble Dr. Bhagwan Sahai, Member (A).
Hon'ble Shri R. N. Singh, Member (J).**

1. Gangaram Eknath Dabhade
Age: 63 years, Instrument Mechanic
Mate (Retd.) R/o. Commandant, Ordnance
Depot, Talegaon-(Dist. Pune),
(R/at: Koleshwarwadi, Post Indori,
Talegaon-Dabhade, Tal: Maval,
Dist: Pune-410507.

...Applicant.

(By Advocate Shri S. P. Saxena).

Versus

1. The Union of India, through
The Secretary, Ministry of Defence,
South Block, New Delhi-110 011.
2. The Director General of Ordnance
Services, M.G.O.'s Branch (OS-8C) (II),
Integrated HQ of Ministry of Defence,
(Army), Army Headquarters,
DHQ, P.O. New Delhi-110 011.
3. The Commandant
Ordnance Factory, Talegaon Dabhade,
Dist: Pune-410506.
4. The Principal Controller
of Defence Accounts (Pension),
Allahabad (U.P.),
Pin-211014.

... Respondents.

O R D E R (O R A L)

Per : R. N. Singh, Member (Judicial)

Shri S. P. Saxena, learned counsel
appeared for the applicant.

2. By the present OA the applicant seeks the following reliefs:-

"a. To allow the application.

b. To hold and declare that the Applicant was appointed to the post of Instrument Mechanic (Mate) and the same was not by way of promotion through D.P.C., from Mazdoor to Instrument Mechanic Mate through D.P.C. Proceedings,

c. To further declare that the Applicant was entitled to be given 1st financial upgradation w.e.f. 09.08.1999 in the pay scale of Rs.4000-6000/- which was the revised scale of the promotional post of Instrument Mechanic w.e.f.01.01.1996,

d. To direct the Respondents to refix Applicant's pay in the pay scale of Rs.4000-6000/- w.e.f.09.08.1999,

e. To direct the Respondents to grant 2nd financial upgradation to the Applicant on completion of 24 yrs, of service fixing his pay in the pay scale of Rs.4500-7000/- w.e.f.21. 08.2002,

f. To fix Applicant's pay in the scale of pay of P.B.-2 + G.P.Rs.2800/- per month w.e.f.01.01.2006.

g. To grant 3rd financial upgradation under M.A.C.P. Scheme w.e.f. 01.09.2008 by fixing Applicant's pay in P.B.-2 + G.P.Rs.4200/-.

h. To refix the retirement benefits of Applicant's w.e.f.01.09.2014,

i. To direct the Respondents to pay arrears of pay and allowances, and pensionary benefits arising out of the prayer at 8(b) to 8(h),

j. To grant interest @12% on the arrears of the payment,

k. To pass any other just and equitable orders in the facts and circumstances of the case,

l. To award the cost of the application."

3. The learned counsel for the applicant submits that though the respondents have rejected the claim of the applicant vide letter dated 23.01.2017 (Annexure A-5 to the OA), the respondents are still reconsidering the issue as it is evident from communication dated 30.05.2017 (Annexure A-6 to the OA).

4. The learned counsel for the applicant further submits that this consideration/reconsideration is going on only in the office of the respondents for a long time.

5. In the facts and circumstances of the case, the OA is disposed of with directions to the respondents to take final decision in the matter expeditiously.

6. Accordingly, the OA is disposed of with directions to the respondents to consider the applicant's representation/ claim expeditiously and pass a reasoned and speaking order in this regard and communicate the same to the applicant within 10

weeks from the receipt of the certified copy of this order.

7. The OA is disposed of at the admission stage in the above terms.

8. No order as to costs.

(R. N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.