

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.260 OF 2018

Dated this Tuesday, the 10th day of April, 2018

**CORAM:- HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)
HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)**

Bhimrao Punaji Kalaskar, Master Craftsman,
P.No.55872E, aged 59 years, Material Organization,
Ghatkopar, residing at Rahul Nagar, Mulund Colony,
Mulund (W), Mumbai 400 082. *...Applicant*
(By Advocate Shri A.I.Bhatkar)

Versus

1. The Union of India, Through the Secretary, Ministry of Defence, South Block, New Delhi 110 001.
 2. The Chief of Naval Staff, Integrated Headquarters, Ministry of Defence (Navy), Sena Bhavan, New Delhi 110 011.
 3. The Flag Officer Commanding-in-Chief, Headquarters, Western Naval Command, Shahid Bhagatsingh Road, Mumbai 400 001.
 4. The Material Superintendent, Material Organization, Ghatkopar (W), Mumbai 400 086. . . . **Respondents**

ORDER (ORAL)

Per:- Hon'ble Shri A.J.Rohee, Member (Judicial)

Today when the matter is called out for Admission, heard Shri A.I.Bhatkar, learned Advocate for the applicant. We have carefully perused the case record.

2. The applicant is presently working as Master Craftsman under respondent No.4. It is stated that the

applicant will be retiring in this month. In this OA, the following reliefs are sought :-

"8(a). This Hon'ble Tribunal will be graciously pleased to call for the records pertaining to the payment / non payment of Grady Pay of Rs.2800/- to the Applicant from 01.01.2006 and after going through the same direct the Respondents to pay the same in accordance with the order dated 14.06.2010.

(b) This Hon'ble Tribunal will be graciously pleased to call for the records pertaining to the fixation of pay of the Applicant on his promotion to the post of Master Craftsman and after going through the same direct the Respondents to fix the pay in accordance with rules.

(c) This Hon'ble Tribunal will be graciously pleased to call for the records and proceedings pertaining to the case of the Applicant for grant of Third Financial Upgradation in the Grade Pay of Rs.4600/- with effect from 18.07.2013, after completion of 30 years service, in the hierarchy of Grade Pays and after going through the same hold and declare that the Applicant is entitled to get the Third Financial Upgradation in the Grade Pay of Rs.4600/- under MACP Scheme and direct the Respondents to grant the same accordingly.

(d) This Hon'ble Tribunal will be graciously pleased to direct the Respondents to grant all consequential benefits including arrears of pay and allowances due and admissible to the Applicant.

(e) This Hon'ble Tribunal will be graciously pleased to pass such other and further orders as deemed fit in the facts and circumstances of the case.

(f) Cost of this application be awarded to the Applicant."

3. It is, thus, obvious that the applicant seeks

Grade Pay of Rs.2,800/- with effect from 01.01.2006 on his promotion to the post of MCM on 01.01.2010. He also seeks benefit of III financial upgradation in the Grade Pay of Rs.4,600/- with effect from 18.07.2013 on completion of 30 years of service. The record shows that the applicant has submitted representation dated 30.09.2013 (Annexure A-6) for redressal of his grievance. However, according to the learned Advocate for the applicant, nothing has been done from the other end so far.

4. Although plural remedies are sought in this OA, the learned Advocate for the applicant seeks liberty to submit a fresh representation to the respondent No.4 for redressal of his grievance. Considering the peculiar facts and circumstances of the case, liberty as sought is granted.

5. The OA stands disposed off with liberty to the applicant to submit fresh representation to the respondent No.4 within a period of two weeks from today.

6. On such representation being made, the respondent No.4 is directed to consider and pass a reasoned and speaking order thereon, in accordance with law, within a further period of six weeks.

7. The order so passed shall then be communicated to the applicant at the earliest, who will be

at liberty to approach the appropriate forum in case his grievance still persists.

8. The OA stands disposed of at the admission stage without issuing notice to the respondents and without making comments on merits of the claim, keeping all the legal pleas open.

9. Registry is directed to forward certified copy of this order to both the parties at the earliest, for taking appropriate steps in the matter.

(R. Vijaykumar)
Member (Administrative)

(Arvind J. Rohee)
Member (Judicial)

*kmg**