

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.10/2018.

Date of Decision: 31.01.2018.

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

Pravin Dnyaneshwar Bhandakkar
 Assistant Professor,
 National Defence Academy,
 (Dept. of Physics),
 Khadakwasla, Pune 411 023.
 R/at Flat No.201, Pawan – 'A',
 D.S.K. Vishara, Dhayari,
 Pune 411 040.

... *Applicant*

(Advocate by Shri S.P. Saxena)

Versus

1. Union of India,
 Through the Secretary,
 Ministry of Defence, South Block,
 New Delhi 110 011.

2. Director (Pers)
 HQ. Integrated Defence Staff,
 Ministry of Defence,
 Directorate of Personnel,
 Kashmir House, New Delhi -11.

3. The Commandant
 National Defence Academy,
 Khadakwasla, Pune – 23. ... *Respondents*

ORDER (Oral)

Per : Shri A.J. Rohee, Member (J)

Today when the matter is called out for admission, heard Shri S.P. Saxena, learned Advocate for the Applicant. We have carefully perused the case record.

2. The Applicant is presently working as Assistant Professor under Respondent No.3. In this OA, the following

reliefs are sought:-

“8.a) To allow the Original Application,

8.b) To direct the respondents to convene a Review Screening Committee for considering the case of the applicant for grant of G.P. Rs.9000/- from 16.10.2014, when he completed 14 years of service as Assistant Professor, and if recommended by the Committee the respondents be directed to refix the pay of the applicant accordingly.

8.c) To direct the respondents to pay the difference of arrears of pay and allowances to the applicant from 16.10.2014 onwards,

8.d) To pass any other appropriate orders in the facts and circumstances of the case.

8.e) To award the cost of application.”

3. According to applicant he is entitled to Grade Pay of Rs.9000/- from 16.10.2014 on completion of 14 years of service as Assistant Professor. For redressal of his grievance, the applicant has submitted a representation dated 19.12.2015 (Annexure A-7) addressed to D.C.I.D.S.(DOT), Chairman, Screening Committee, HQ. I.D.S., New Delhi through proper channel. It is stated that no decision has been taken by the respondents, although vide communication dated 29.12.2015 (Annexure A-18) Vice Admiral, Commandant had written to D.C.I.D.S.(DOT) recommending the applicant's name for considering him and one Dr. Vanita Puri for upgradation to Grade Pay of Rs.9000/- with effect from the due date.

4. Considering the fact that since no decision has been taken by the Respondent No.2 in the matter, it is appropriate to

dispose of this matter with directions. Further there is no impugned order as such, by which the claim for upgradation of Grade Pay of Rs.9000/- has been rejected which can be judicially reviewed. Along with OA, MA 45/2018 is also filed for condonation of delay.

5. Considering the peculiar facts of the case, the Respondent No.2 is hereby directed to consider and pass a reasoned and speaking order on the pending representation dated 19.12.2015 (Annexure A-7) of the applicant in accordance with law, within a period of eight weeks from the date of receipt of certified copy of this order.

6. 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.

7. The OA stands disposed of with aforesaid directions at the admission stage, without issuing notice to the respondents and keeping the legal plea regarding limitation open. MA for condonation of delay stands closed.

8. *DASTI.*

(R. Vijaykumar)
Member (A)

(A.J. Rohee)
Member (J)

dm.