

**Central Administrative Tribunal
Ernakulam Bench**

OA/180/00719/2017

Thursday, this the 28th day of March, 2019.

CORAM

Hon'ble Mr. E.K.Bharat Bhushan, Administrative Member

Hon'ble Mr. Ashish Kalia, Judicial Member

1. S.Krishnankutty, aged 66 years
S/o Late Sivan
Retired Executive Engineer (ACE Liaison)
HQ SAC, Akulam, Trivandrum-695 031.
Residing at Shine, Pothady, Peringanadu P.O.,
Adoor-691 551. (deceased)
2. Radhamany
W/o Late S.Krishnankutty
Residing at Shine, Pothady, Peringanadu P.O.,
Adoor-691 551.
3. Snitha S.K.
D/o Late S.Krishnankutty
Residing at Shine, Pothady, Peringanadu P.O.,
Adoor-691 551.
4. Snith S.K.
S/o Late Krishnankutty
Residing at Shine, Pothady, Peringanadu P.O.,
Adoor-691 551.

Applicants

[Advocate: Mr.R.Sreeraj]

versus

1. Union of India represented by its
Secretary to the Government of India
Ministry of Defence
New Delhi-110 001.
2. Secretary to the Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
New Delhi-110 001.
3. The Engineer-in-Chief
Military Engineer Services

Kashmir House
Rajaji Marg
New Delhi-110 001.

Respondents

[Advocate: Mr. SreenathS, ACGSC]

The OA having been heard on 28th March, 2019, this Tribunal delivered the following order on the same day:

ORDER (oral)

By E.K.Bharat Bhushan, Administrative Member

Applicant(s) herein claims the benefit of 3rd MACP to the next Grade Pay in the promotional hierarchy, and not to the next Grade Pay in the pay structure as has been granted. Learned counsel for the applicant(s) submits that the issue is now before the Apex Court and Original Applications seeking similar benefits have already been closed, awaiting the final outcome from the Apex Court.

2. In view of the aforesaid situation, awaiting the final outcome of the Apex Court, this OA is closed.

[Ashish Kalia]
Judicial Member

[E.K.Bharat Bhushan]
Administrative Member

aa.

Annexures filed by the applicant:

- Annexure A1: Copy of the representation dated 17.5.2017 submitted by the applicant to the office of the 3rd respondent.
- Annexure A2: Copy of the letter No.41002/MACP/Offr/01/61 DPC (PP & Sub) dated 5.6.2017.

Annexures filed by the respondents:

- Annexure R-I: Recruitment rules schedule I, III & IV of IDSE cadre issued vide SRO 95 June 2004.
- Annexure R-II: Copy of the DoPT letter No.35034/3/2008 Estt (D) dated 19th may, 2009.
- Annexure R-III: Copy of the DoPT letter No.AB 14017/64/2008 Estt(RR) dated 24th April, 2009.
- Annexure R-IV: Copy of DoPT letter No.22034/04/2013-Estt(D) dated 20th January 2016 along with copy of stay order dated 8th Aug 2014.
