

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application No. 040/00031 of 2019

Date of Order: This, the 31<sup>st</sup> day of January 2019

**THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER**

**THE HON'BLE MR. NEKKHOMANG NEIHSIAL, ADMINISTRATIVE MEMBER**

640629K Shri N.K. Singh  
Leading Fireman, C/o 99 APO  
S/o Late Deodhar Singh  
Resident of 310 Pet PI, ASC  
PIN – 905310, C/O 99 APO.

... Applicant.

By Advocates: Mr. H. Gupta, Ms. R. Devi & Mr. A. Tahbildar

-Versus-

1. The Union of India  
Represented by its Secretary  
To the Government of India  
Ministry of Defence, South Block  
New Delhi – 110011.
2. ASC Records South Bangalore  
Victoria Road Agaram Post  
C/o 56 APO, Pin – 900493.
3. Chief Controller of Defence Accounts  
Office of the CGDA, Ulan Batar Road  
Palam, Delhi Cantt – 110010.
4. Deputy Controller of Defence Accounts  
Office of the Controller of Defence Accounts  
Guwahati, Udayan Vihar  
Narangi, Guwahati – 781171.

... Respondents

## **O R D E R (ORAL)**

### **MANJULA DAS, JUDICIAL MEMBER:**

The instant petition has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

- “8.1 That the Hon’ble Tribunal be pleased to direct the respondent authority to grant correct Grade Pay while granting MACP benefits as per the Rules.
- 8.2 To direct the authorities to pay the applicant due Grade Pay at the rate of Rs. 2800/- and Rs. 4200/- respectively in the 2<sup>nd</sup> and 3<sup>rd</sup> MACP in compliance of the communication dated 26<sup>th</sup>/28<sup>th</sup> July, 2010 instead of existing Grade Pay granted at the rate of Rs. 2400/- and Rs. 2800/- respectively in the 2<sup>nd</sup> and 3<sup>rd</sup> MACP.
- 8.3 To direct the authorities to fix the revise pay scale taking into account the due Grade Pay at the rate of Rs. 2800/- and Rs. 4200/- respectively in the 2<sup>nd</sup> and 3<sup>rd</sup> MACP.
- 8.4 To direct the authorities to release the arrear revised pay scale in commensuration with the revised Grade pay from the date of granting of 2<sup>nd</sup> and 3<sup>rd</sup> MACP and rectify the pay scale as granted while granting financial upgradation under 3<sup>rd</sup> MACP.
- 8.5 To pass such other or further order (s) as your Lordships may deem fit and proper.
- 8.6 Any other relief (s) as this Hon’ble Tribunal may deem fit and proper.”

3. At the outset of moving the instant O.A., Mr. H. Gupta, learned counsel appearing on behalf of the applicant submits that applicant may be granted liberty to file a comprehensive representation within a time.

4. By accepting the prayer made by the learned counsel for the applicant and without going into the merit of the case as well as without hearing the respondents' side, we direct the applicant to make a comprehensive representation before the respondent authority within a period of 10 days from the date of receipt copy of this order. On receipt of such, the respondent authority shall consider and dispose of the said representation within a period of one months by taking into note the facts and circumstances of the case of the applicant thereafter.

5. It is made clear that, whatever decision to be arrived by the Respondent Authorities, shall be reasoned and speaking and shall be communicated to the Applicant forthwith.

6. O.A. stands disposed of accordingly at the admission stage itself. No order as to costs.

**(NEKKHOMANG NEIHSIAL)  
MEMBER (A)**

**(MANJULA DAS)  
MEMBER (J)**