

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 130 of 2019

This the 13th day of March, 2019

Hon'ble Ms. Jasmine Ahmed, Member-J
Hon'ble Mr. Devendra Chaudhry, Member-A

Rajeev Tewari, aged about 54 years, S/o Late Satish Chandra Tewari, R/o 48 Nazar Bagh, Lucknow 226001 presently working as Technical Officer-A (T.O.'A) in Regional Centre for Military Airworthiness (RCMA), Lucknow, Defence Research & Development Organization (DRDO), Ministry of Defence, HAL, P.O., Lucknow. 226016

Applicant

By Advocate : Sri Raj Deepak Chaudhary

Versus.

1. The Secretary, Ministry of Defence, South Block, New Delhi.
2. The Chariman & Secretary (R&D), DRDO, Ministry of Defence, DRDO Bhawan, Rajaji Marg, New Delhi.
3. Director-Directorate of Human Resources & Development, DRDO Bhawan, Rajaji Marg, New Delhi.
4. Regional Director, Regional Centre for Military Airworthiness (RCMA), Lucknow, Defence Research & Development Organization (DRDO), Ministry of Defence, HAL, P.O., Lucknow.
5. Secretary, Ministry of Personnel, Public Grievance & Pension (Department of Personnel & Training), 3rd Floor, Loknayak Bhawan, Khan Market, New Delhi. 110003

Respondents.

By Advocate : Sri Mahendra Kumar Shukla

O R D E R (Oral)

By Ms. Jasmine Ahmed, Member-J

Learned counsel for the applicant states that the applicant has been deprived for grant of 2nd MACP and in this regard, he requested the respondents for grant of MACP through his representation dated 22.9.2017. It is also contended that in the request (representation) dated 22.9.2017, the applicant has given some references of O.A. number, Writ petition number and the order of Hon'ble Supreme Court. Learned counsel for the applicant states that the applicant is similarly situated person with that of the facts and circumstances of the above references. It is seen that when the applicant did not receive any response, he preferred a reminder on 17.7.2018 and upon receipt of the same, the

respondents wrote a letter dated 20.7.2018 by forwarding the reminder/representation of the applicant for grant of MACP to the higher authority. The applicant again preferred a representation dated 30.10.2018, which too was forwarded by the respondents vide letter dated 14.11.2018 to the Chief Executive, CEMILAC, Defence R & D Organization, Bengaluru for necessary action, It is contended by the learned counsel for the applicant that till date no decision has been taken by the respondents nor any information has been furnished.

2. Taking into consideration that the representation of the applicant is still pending for which the respondents-authorities themselves have forwarded the same to the higher authority for taking necessary action, it is directed that the respondents (competent authority) to take a decision on the pending representation of the applicant expeditiously preferably within a period of three months from the date of receipt of certified copy of this order in accordance with law by passing a reasoned and speaking order under intimation to the applicant. It goes without saying that if it is found that the applicant is similarly situated person with that of the cases, referred to above, the same benefit shall also be extended to him. It is made clear that nothing has been commented on the merits of the case.

3. With the above observations, the O.A. stands disposed of finally at admission stage itself. No costs.

(Devendra Chaudhry)
Member-A

(Ms. Jasmine Ahmed)
Member-J

Girish/-