

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00640/2018 & OA/310/01560/2018

Dated Thursday the 22nd day of November Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

&

HON'BLE MR. P. MADHAVAN, Member (J)

1.M.Arumugam,
2.P.Mohanandu,
3.M.Chandrasekaran.Applicants

By Advocate M/s. R. Ramesh

Vs

1.Union of India,
rep by General Manager,
Southern Railways,
Chennai.

2.The Principal Chief Personnel Officer,
Southern Railways,
Chennai.

3.The Divisional Railway Manager,
Southern Railways,
Chennai Division,
Chennai 600003.

4.Sr. Divisional Personnel Officer,
Southern Railways,
Chennai.Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER**(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))**

Heard. MA filed by the applicants for joining together and filing a single OA is allowed.

2. The applicants have filed this OA seeking the following relief :

"To call for the records pertaining to Order bearing No. M/P[W]/524/MACP/Vol.II dated 16.10.2018 of the 4th respondent and set aside the same and consequently direct the respondents to grant 3rd Modified Financial Up gradation with effect from the date of completion of 30 years of service and grant all consequential benefits including arrears of MACP and pass such further or other orders which this Hon'ble Tribunal may deem fit and proper under the circumstances of the case and render justice."

3. It is submitted that the applicants were aggrieved by Annexure A6 impugned order dt. 16.10.2018 in response to their Annexure A5 representation dt. 10.09.2018 whereby their request for 3rd MACP had been turned down. It is alleged that the applicants had been granted their 1st financial upgradation in the year 2000 and the 2nd in the year 2008. As such, they were entitled to their 3rd financial upgradation on completion of the requisite number of years of service. However, the impugned order fails to explain how the upgradation granted in the year 2000 had been considered as their 2nd financial upgradation.

4. Mr. P. Srinivasan takes notice for the respondents.

5. On perusal, it is seen that the applicants had made a collective representation stating only the date on which they completed 30 years of service without any details as to their previous status before their empanelment in the year 1986 and the promotions, upgradations, if any prior to that date. Nor does

the impugned order explain clearly why the upgradation granted in the year 2000 has been construed as the 2nd financial upgradation. Under such circumstances, we are of the view that the ends of justice would be met in this case, if the applicants are permitted to make detailed individual representations in regard to their grievance within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representations, the respondents shall consider the matter in accordance with the scheme of MACP and pass a reasoned and speaking order within a period of two months thereafter.

6. OA is disposed of at the admission stage.

(P. Madhavan)
Member(J)

(R.Ramanujam)
Member(A)

22.11.2018

SKSI