Central Administrative Tribunal
Madras Bench

OA/310/00821/2014

Dated Thursday the 11th day of April Two Thousand Nineteen

P R E S E N T

Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)

1. J.Kathirvelu,
2. J.Ramesh
3. Meenakshi Ravichander
4. B.Ravindran Jacob Jebaraj
5. P.V.Sathish Babu
6. K.Sudarsanam
7. Narayana Sarma
8. V.Premkumar Sathyaraj
9. A.Kanthi
10. D.Jayavardhini
11. S.Selvaraj
12. K.Radha
13. P.Rajkumar
14. V.Ravikumar
15. R.Magesvaran .. Applicants

By Advocate **M/s.R.Malaichamy**

Vs.

1. Union of India rep by the
   Secretary,
   Department of Posts,
   M/o Communication & IT.,
   Dak Bhavan, Sansad Marg,
   New Delhi 110 001.
2. The Secretary,
   Department of Personnel & Training,
   M/o Public Grievances & Pensions, North Block, New Delhi 110 001.
3. The Deputy Director General(PAF),
   Department of Posts,
   (Postal & Accounts Wing),
   M/o Communication & IT.,
   Dak Bhavan, Sansad Marg,
   New Delhi 110 001.
4. The General Manager,
   Postal Accounts & Finance,
   Tamil Nadu Circle,
   Chennai 600 008.

5. The Director,
   Postal Accounts,
   Tamil Nadu Circle,
   Chennai 600 008.
6. The Senior Accounts Officer(Admn.),
   Postal Accounts,
   Tamil Nadu Circle,
   Chennai 600 008. .. Respondents

By Advocate **Mr.S.Padmanabhan**

ORAL ORDER

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

The applicants have filed this OA seeking the following relief:-

> "i) To call for the records of the 6th respondent which is made 1) No.26/Admn/EA-IV/MACP dated 05.4.2011 and the order made in 2) No.129/ADMN/EAIV/MACP dated 15.4.2014 and set aside the same; consequent to,
>
> ii) direct the respondents to grant promotional hierarchy Grade pay of Rs.4800/- for the 2nd MACP benefit, instead of Grade Pay hierarchy of Rs.4600/- to the applicants and thereby to pay the arrears of Grade Pay and other consequential service benefits to the applicants.
>
> Iii) To Pass such further or other orders as this Tribunal may deem fit and proper."

2. Learned counsel for the applicants submits that the applicants are working as Senior Accountant under the 4th respondent office. Their next higher grade for promotion is Assistant Accounts Officer in the Grade Pay of Rs.4800/-. They are entitled for promotional hierarchy Grade Pay for 2nd MACP financial upgradation instead of Grade Pay Hierarchy. But the 4th respondent granted GP of Rs.4600/- in the Grade Pay Hierarchy. Therefore, the applicants made representations to grant hierarchy Grade Pay of Rs.4800/- for the 2nd MACP which was rejected by the 6th respondent by order dated 05.4.2011. It is submitted that similarly placed person filed OA 1038/CH/2010 before the Punjab & Haryana Bench of this Tribunal to settle the pay anomaly, which was allowed by order dated 31.5.2011. The CWP filed against the said order was dismissed by the Hon'ble Punjab & Haryana High Court confirming the order of Punjab & Haryana Bench and the SLP filed thereagainst was also dismissed. As the applicants are also entitled for grant of promotional hierarchy Grade Pay of Rs.4800/- for 2nd MACP benefit , they made representations to the respondents to reconsider their claim. But it was also rejected by order dated 15.4.2014. Aggrieved, they have filed this OA seeking the above mentioned relief.

3. The respondents have filed a reply explaining their stand.

4. When the matter is taken up, learned counsel for the applicants would submit that a similar matter is pending before the Hon'ble Supreme Court in SLP No.21803/2014 and the matter has not attained finality. It is submitted that the applicants would be satisfied if a direction is given to the respondents to consider the claim of the applicants subject to the outcome of verdict in the above said SLP. Counsel for the applicants files a memo to this effect, which is taken on record. Learned counsel for the respondents not present.

5. However, taking into consideration the memo filed by the applicants and in view of the submissions made by the counsel for the applicants, we are of the view that no useful purpose will be served by keeping the matter pending in this Tribunal. **We, therefore, deem it appropriate to dispose of this OA with a direction that the respondents shall review their stand in the event of the aforesaid SLP being decided in favour of persons similarly situated as the applicants.**

6. The OA is ordered accordingly. No order as to costs.

(T.Jacob)
Member(A)

(P.Madhavan)
Member(J)

11.04.2019

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