

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.04/2019

Date of Decision: 03.01.2019.

CORAM:HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)
HON'BLE SHRI R.N. SINGH, MEMBER (J)

1. Mr. A.S. Relekar,
Age 67 years, Assistant Superintendent (Retd.)
from the office of Trade Mark Registry
at Baudhik Sampada Bhavan, S.M. Road,
Antop Hill, Mumbai 400 037.
R/at 316 H, Hemraj Bldg., Thakurdwar Road,
J.S.S. Road, Mumbai 400 012.
2. Mr. A.A. Bhoi,
Age 75 years, Assistant Superintendent (Retd.),
from the office of Trade Mark Registry at
Boudhik Sampada Bhavan, S.M. Road,
Antop Hill, Mumbai 400 037.
R/at 56, Antop Hill, Near Barkat Ali Darga,
Wadala (E), Mumbai 400 037.
3. Smt. S.R. Dhotre,
Age 68 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at
Boudhik Sampada Bhavan, S.M. Road,
Antop Hill, Mumbai 400 037.
R/at F-20, Saptarshi CHS, Kala Nagar,
Bandra (E), Mumbai 400 051.
4. Shri M.A. Gade,
Age 68 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at
Boudhik Sampada Bhavan, S.M. Road,
Antop Hill, Mumbai 400 037.
R/at Vidya Darshan CHS, Bldg. No.53,
7th Floor, R.No. 703, Tagore Nagar,
Vikhroli (E), Mumbai 400 083.
5. Smt. A.D. Patil,
Age 66 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at
Boudhik Sampada Bhavan, S.M. Road,

Antop Hill, Mumbai 400 037.
R/at Uttara, A-101, Phoolpada,
Virar (E) – 401 305.

6. Smt. A.A. Hate,
Age 64 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at Boudhik
Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai 400 037.
R/at 18, Bhagwandas Tapidas Bldg.,
Gazdar Street, Cheera Bazar, Mumbai 400 002.
7. Smt. V.N. Bhatt,
Age 68 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at Boudhik
Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai 400 037.
R/at A-503, Shrikrishna Avenue, Sawarpada,
New Police Chowki, Borivali (E),
Mumbai 400 068.
8. Smt. S.A. Satam.
Age 66 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at Boudhik
Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai 400 037.
R/at Shri Ram Prasad Bldg., 83/84, R.No.13,
2nd Floor, Goregaon (W), Mumbai 400 062.
9. Mr. A. Vichare,
Age 68 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at Boudhik
Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai 400 037.
R/at B/3/309/310 Shree Pimpleshwar CHS,
Mahadev Palav Marg, Currey Road,
Mumbai 400 013.
10. Mr. H.S. Nandgaonkar,
Age 70 years, Assistant Superintendent (Retd.),
From the office of Trade Mark Registry at Boudhik
Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai 400 037.
R/at A-5, Shivkripa, Opp. Central Bank,
Nana Shankarsheth Road, Dombivali (W),
Dist. Thane.

11. Mr. S.G. Salunke,
 Age 66 years, Assistant Superintendent (Retd.),
 From the office of Trade Mark Registry at Boudhik
 Sampada Bhavan, S.M. Road, Antop Hill,
 Mumbai 400 037.
 R/at A-3/10, Arjuna Society, Geetangali Nagar,
 Mahim (E), Mumbai 400 017.

12. Smt. U.S. Chavan.
 Age 63 years, Assistant Superintendent (Retd.),
 From the office of Trade Mark Registry at Boudhik
 Sampada Bhavan, S.M. Road, Antop Hill,
 Mumbai 400 037.
 R/at Maratha CHS, 302 4th Floor, F 1, S.B. Pawar
 Marg, Mumbai 400 013.

13. Mr. B.R. Pawaskar,
 Age, 61 years, Assistant Superintendent (Retd.),
 From the office of Trade Mark Registry at Boudhik
 Sampada Bhavan, S.M. Road, Antop Hill,
 Mumbai 400 037.
 R/at 5/37, Powally Bldg., 3rd Floor, Dhobi Wadi,
 Dr. B.J. Marg, Thakurdwar,
 Mumbai 400 002.

... *Applicants*

(By Advocate Ms. S.V. Gokhale)

VERSUS

1. The Union of India,
 Through the Secretary to the Govt. of India
 Ministry of Commerce and Industry,
 Dept. of Industrial Policy & Promotion (DIPP)
 Udyog Bhavan, New Delhi 110 001.
2. Union of India,
 Through the Secretary, Dept. of Expenditure
 (E-IIIB) Ministry of Finance, Room No.76,
 New Delhi 110 001.
3. Controller General of Patent, Design and Trademark
 Baudhik Sampada Bhavan, S.M. Road,
 Antop Hill, Mumbai 400 037.
4. Registrar of Trademark,
 Boudhik Sampada Bhavan, S.M. Road,
 Antop Hill, Mumbai 400 037.

... *Respondents*

ORDER (Oral)
Per : Shri R. Vijaykumar, Member (A)

Heard the learned counsel for the Applicants.

2. The Applicants have sought benefits in view of pay fixation and the pay fixation made during the 5th Pay Commission. This matter had been considered at an earlier stage by this Tribunal in OA No.266/2012 which was decided on 06.12.2013 and respondents were directed to reconsider the request of applicants on upgradation of their post w.e.f that date and for suitable fixation under the terms of the 5th Pay Commission. The Respondents have passed the impugned order dated 17.11.2015 after which, the applicants have stated that they have not agitated the matter in a legal forum but have been filing representations dated 24.08.2017, 26.10.2017 & 08.03.2018 with the respondents and no reply has been received. Since these representations have not been dealt with by the respondents on the detailed aspects contained therein, the respondents are directed to consider the pending representations of the applicants

and pass a reasoned and speaking order within a period of twelve weeks from the date of receipt of certified copy of this order. The order so passed shall then be communicated to the applicants within two weeks thereafter. It is made clear that this Tribunal has not made any observations on the merits of the case nor on the legal aspects of delay.

3. In the aforesaid terms, the OA is disposed of. MA Nos.06/2019 & 05/2019 accordingly stand closed. No order as to costs.

(R.N. Singh)
Member (J)

(R.Vijaykumar)
Member (A)

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