

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**MA No.193/2017 in RA No. 14/2017
in
OA No.1623/2014**

New Delhi, this the 28th day of January, 2019

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Union of India through
The Secretary
Ministry of Defence
Govt. of India, South Block, New Delhi.
2. The Chairman
Ordnance Factory Board, Ministry of Defence, 10-A
Shahid Khudi Ram Bose Road, Kolkata.
3. The General Manager
Ordnance Factory
Muradnagar,
Distt. Ghaziabad (UP). Review Applicants

(By Advocate: Mr. Yogesh Sharma)

VERSUS

1. Shri Mangey Khan
S/o Shri Bahadur Khan
R/o H.No.826, Adarsh Colony
Muradnagar, Distt. Ghaziabad (UP).
2. Shri Ram Gopal
S/o Shri Budh Lal
R/o Q. No.27Q/133, Ordnance Factory
Muradnagar.
3. Shri Om Vir
S/o Shri Dayanand Tyagi
R/o Morta, Distt. Ghaziabad (U.P.).
4. Shri Aas Mohammad

S/o Shri Khecheru
 R/o H.No.761, Adarsh Colony
 Muradnagar, Distt. Ghaziabad (UP). Respondents.

(By Advocate: Mr. V.S.R.Krishna)

ORDER (ORAL)

By Hon'ble Mr.V. Ajay Kumar, Member (J)

MA No.193/2017 in RA No.14/2017.

Heard Shri Yogesh Sharma, counsel for the Review Applicants and Shri V.S.R.Krishna, counsel for the respondents. In the circumstances and for the reasons mentioned therein and in the interest of justice the delay is condoned and MA is accordingly allowed.

RA No.14/2017 in OA No.1623/2014

2. This Review Application has been filed in OA No.1623/2014, which was disposed of by this Tribunal on 12.05.2014 as under :-

"Heard learned counsel for the applicant states that this OA has been filed against the inaction of the respondents for not implementing their own order dated 11.06.2013 (Annexure A-2) inter alia to the effect that applicant be granted 1st and 2nd financial upgradation under the ACP scheme w.e.f.01.01.2006 in Grade Pay of Rs.2400/- and GP of Rs.4200/- along with 3rd financial upgradation under the MACP scheme in the GP of Rs.4500/- w.e.f.1.9.2008. Such an order is stated to have been implemented in respect of similarly situated persons. The impugned order at Annexure A-2 dated 11.06.2013 is, therefore, sought to be implemented. The following relief have been sought in the OA :-

"(i) That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to implement their own order dated 11.06.2013 (**Annex.A/2**) and grant the consequential benefits to the applicants immediately with the arrears of difference of pay and allowances with interest.

(ii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant.

2. Counsel for the applicant states that an urgent direction be issued to the respondents to implement their own order as afore-noted and to regulate the consequential benefits along with arrears and pay and allowances. At this stage Sh. Ashok Kumar enters appearance on behalf of the respondents. He has nothing to argue against the issuance of direction as prayed for. Accordingly, respondents are directed in terms of para 8 (i) of the relief to take action to implement their own order dated 11.06.2013 and to regulate such consequential relief as may be admissible to the applicant. This be done within eight weeks from the date of receipt of a copy of this order.

3. OA is disposed of with afore-noted direction."

3. The respondents, Union of India filed the instant Review Application seeking review of the aforesaid order by submitting that the order dated 11.06.2013 which was sought to be implemented in the OA was subsequently modified by another order dated 27.03.2014. Hence, the order passed in the OA is required to be reviewed.

4. It is seen that the OA No.1623/2014 was summarily disposed of by directing the respondents to implement their own order dated 11.06.2013. This Tribunal has not examined the validity of the said order or restrained the respondents from modifying the said order. Hence, we do not find any merit in the Review and the same is dismissed. No costs.

(ARADHANA JOHRI)
Member (A)

(V. AJAY KUMAR)
Member (J)

