

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A No. 4690/2018

New Delhi, this the 10th day of January, 2019

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

Hon'ble Ms. Aradhana Johri, Member (A)

Mamchand, Superintendent (Retd.),
Aged about 63 years,
S/o. Sh. Nand Ram,
R/o. 162, DDA Flats, Pkt-1,
Sector-9, Dwarka,
New Delhi – 110 077.

...Applicant

(By Advocate : Mr. M. D. Jangra)

Versus

1. Union of India,
Through it Secretary,
Ministry of Finance,
Department of Revenue,
North Block, New Delhi-110 001.
2. The Chairman,
Central Board of Excise & Customs,
North Block, New Delhi – 110 001.
3. The Secretary,
Ministry of Personnel, Public Grievances and
Pensions, Department of Personnel & Training,
New Delhi.
4. The Chief Commissioner (CCU),
O/o. The Chief Commissioner of Central Excise,
Cadre Controlling Authority : Delhi Zone,
C.R. Building, I.P. Estate,
New Delhi – 110 109.

5. The Commissioner of Customs (Import),
IGI Airport, New Custom House,
New Delhi.

6. The Pay & Accounts Officer,
Central Board of Excise & Customs,
New Custom House,
I.G.I. Airport,
New Delhi – 110 037.

....Respondents

(By Advocate : Mr. Y. P. Singh)

ORDER (ORAL)

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

Heard learned counsel for applicant and Mr. Y. P. Singh, learned counsel on receipt of advance notice.

2. The applicant, a retired Superintendent of Central Excise filed the O.A seeking the following reliefs :-

“(i) To direct the respondents to grant the grade pay of Rs.6600/- 2nd MACP benefits w.e.f. 01.01.2006 on implementation of MACP scheme and grade pay of Rs.7600/- as 3rd financial upgradation on completion of 30 years of service as on 12.06.2012 with consequential benefits including the arrears of pay and allowances and benefits of retiral benefits accordingly with interest @ 16% for the period of delay.

(ii) To declare the action of respondents in counting NFG as Financial Upgradation under ACP/MACP Scheme as illegal and direct the respondents to treat the grant of grade pay of Rs.6600/- in PB-3 as 2nd Financial Upgradation and Rs.7600/- as 3rd financial upgradation on completion of 30 years of regular service and release arrears of pay by revising his salary and retiral benefits accordingly with interest.

(iii) To allow the present O.A with cost on the respondents.

(iv) To pass other order as deemed fit and proper in the facts and circumstances of the case.”

3. It is stated that the applicant made a number of representations including Annexure A/1 dated 22.11.2018 ventilating his grievance to the respondents. However, no orders have been passed till date.

4. The O.A is disposed of, without going into the merits of the case, by directing the respondents to consider and decide the representation of the applicant dated 22.11.2018 (Annexure A/1) by passing a reasoned and speaking order, in accordance with law, within a period of 90 days from the date of receipt of a certified copy of this order. No costs.

Let a copy of the O.A, be enclosed to this order.

(Aradhana Johri)
Member(A)

(V. Ajay Kumar)
Member(J)

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