

# **Central Administrative Tribunal Principal Bench, New Delhi**

O.A. No.2589/2013

Thursday, this the 2<sup>nd</sup> day of May 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Ms. Aradhana Johri, Member (A)**

Man Mohan Singh  
s/o late Sh. Harbhajan Singh  
r/o DA-589, Sheesh Mahal Apartments  
Shalimar Bagh, Delhi – 110 088

..Applicant

(Mr. R K Shukla, Advocate)

Versus

1. Union of India through the Secretary  
Ministry of Urban Development  
Nirman Bhawan, New Delhi
2. The Director General  
Central Public Works Department  
Nirman Bhawan, New Delhi
3. The Chief Engineer  
Public Works Department  
12<sup>th</sup> Floor, MSO Building  
I P Estate, New Delhi
4. The Assistant Engineer (Electric/HQ)  
B-24, PWD Govt. of India  
IInd Floor, MSO Building  
New Delhi

..Respondents

(Mr. Ashok Kumar, Advocate)

## **O R D E R (ORAL)**

**Justice L. Narasimha Reddy:**

The applicant retired from the service of Central Public Works Department (CPWD) on 30.11.2007. After his retirement, the Ministry of Urban Development initiated steps

for grant of selection grade to different categories of employees, on completion of 8 years of service, in a particular cadre. O.M. dated 09.06.2011 is one such. The applicant contends that though he was entitled to be extended the benefit of selection grade in the form of revision of pay structure and pension, it was extended to him. In a reply given to him on 03.06.2013, the respondents stated that the selection grade has been granted to him and arrears thereof have been paid. This O.A. is filed requiring the respondents to place on record in proof of payment and other consequential benefits.

2. The respondents filed counter affidavit opposing the O.A. It is stated that the benefit, in terms of O.M. dated 09.06.2011, was extended to the applicant through office order dated 26.05.2012 and the amount was also paid. The applicant did not file any rejoinder.

3. We heard Mr. R K Shukla, learned counsel for applicant and Mr. Ashok Kumar, learned counsel for respondents.

4. When the applicant addressed a letter to the respondents stating that he was not extended the benefit of O.M. dated 09.06.2011, they replied promptly on 03.06.2013. The particulars of the proceedings and payments were furnished. Even then, the applicant was not satisfied. In their counter affidavit, the respondents stated as under:-

“Para 1 The contents of this Para are wrong and denied. The Office Memorandum dated 9.6.2011 cited by the applicant in this Para has been implemented in letter and spirit. The applicant was also granted selection grade w.e.f. 1.1.1981 in terms of O.M. No.19/117/2001 (Pt.) dated 9.06.2011 annexed by applicant as annexure A-1. A copy of the office order No.10(4)/EE(E)/PWD/BPD B-244/704 dated 26.05.2012 issued by the answering respondent for grant of selection grade to applicant is marked and annexed as Annexure R-1. The applicant has also been paid arrear of pay payable consequent to implementation of said O.M. No.19/117/2001(Pt.) dated 9.06.2011 in respect of all eligible work charged staff..”

5. The respondents have also enclosed the statement of revised pay scale of the applicant referable to different Central Pay Commissions. The applicant did not file any rejoinder. Even otherwise, he is not able to show that the proceedings referred to by the applicant are non-existent.

6. We do not find any merit in this O.A. It is accordingly dismissed.

There shall be no order as to costs.

**( Aradhana Johri )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**May 2, 2019**  
**/sunil/**