

**Central Administrative Tribunal
Principal Bench**

OA No.1476/2019

New Delhi, this the 13th day of May, 2019

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

Suresh Dabas
Aged about 60 years,
Group 'A',
Retired on 31.01.2019 from the lastly held post of
Executive Engineer (Auto)/DEMS
S/o Shri H. C. Dabas
R/o107-B, Ideal Apartments,
Plot-14, Pocket-6,
Dwarka, Sector 1-A,
New Delhi-110 045. Applicant.

(By Advocates: Shri Ranjan Kumar with Shri Sanjay Kumar)

Versus

North Delhi Municipal Corporation
Through
The Commissioner/The Director (Personnel)
(Central Establishment Department)
13th Floor, Dr. S. P. Mukherjee Civic Centre,
J. L. Nehru Marg,
New Delhi 110 002. Respondent.

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicant retired from the service of respondent on 3.01.2019. He submitted a representation on 23.02.2019 to the respondent stating that he became entitled to be extended the benefit of 3rd financial upgradation w.e.f. 01.09.2018. This OA is filed with a

prayer to direct the respondent to extend the benefit of 3rd financial upgradation in terms of the OM dated 19.05.2019.

2. Heard Shri Prem Chand with Shri Sanjay Kumar, learned counsel for the applicant.

3. Recently, the issue pertaining to the 2nd financial upgradation of the applicant was dealt with in OA No.2586/2015. It is stated that on 22.04.2019, the benefit of 2nd financial upgradation was extended to him. The question as to whether the applicant is entitled to 3rd financial upgradation also, needs to be considered by the respondent. Since it would have its own impact on the retirement benefits, the issue cannot be kept pending indefinitely.

4. We, therefore, dispose of the OA directing the respondents to pass orders on the representation of the applicant dated 23.02.2019, within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/