

**Central Administrative Tribunal  
Principal Bench**

MA No.3065/2019

In

RA No.174/2019

In

OA No. 4276/2013

New Delhi this the 25<sup>th</sup> day of September, 2019.

***Hon'ble Mr. Justice L. Narasimha Reddy, Chairman***  
***Hon'ble Mr. Pradeep Kumar, Member (A)***

1. Union of India through  
Secretary,  
Ministry of Defence,  
South Block,  
New Delhi.
2. Office of Joint Secretary (Training),  
And Chief Administrative Officer,  
Ministry of Defence,  
E Block Hutments,  
New Delhi-110011.
3. Secretary,  
DoP&T,  
North Block,  
New Delhi.

-Review Applicants/Respondents in OA

**-Versus-**

1. Hari Prem Malik,  
Retired as Joint Director,  
Flat No.A-304, Daffodils Society,  
Plot No.36, Sector-6,  
Dwarka, New Delhi-110075.
2. Apendu Ganguly,  
Retired as Director (in-situ),  
B-25, Moonlight Apartment,  
70, I.P.Extension,  
Patparganj,  
Delhi-110092.

3. Mrs. Sarita Chadha,  
Retired as Director (in-situ),  
113, Narang colony,  
Janakpuri,  
New Delhi-110058.
4. K.N.Mishra,  
Retired as Joint Director,  
2011, Sector 37,  
Noida-201 303.
5. Ashok Kumar Sharma,  
Retired as Joint Director,  
40, Madhav Kunj,  
Sector-9, Rohini,  
Delhi-85.
6. Sumit Mazumdar,  
Retired as Joint Director,  
Flat No. B-175/Pocket 1,  
Kendriya Vihar 2,  
Sector-82, Noida (UP).
7. R.D.Gupta,  
Retired as Joint Director,  
103 P, Sector 30,  
Gurgaon (Haryana).
8. I.J.S.Bains,  
Retired as Joint Director,  
A-703, M.S.Apptts,  
K.G.Marg, New Delhi-110001.

-Respondents in RA/Original Applicants

**ORDER (By Circulation)**

**Hon'ble Mr. Pradeep Kumar, Member (A):**

The above OA was in respect of 3<sup>rd</sup> MACP benefits, which was allowed vide orders dated 04.12.2018. The respondents in

OA have now preferred a Review Application (RA) on the said judgment.

2. MA No.3065/2019 has also been preferred seeking condonation of delay in filing the RA amounting to 191 days. For the reasons stated in the MA, the delay in filing the RA is condoned.

3. It is seen that no new point has been brought out in the RA. The Section Officers were earlier in the grade Rs.6500-10500 and vide orders dated 03.10.2003 such of the Section Officers who had worked for four years in the grade, were granted Non-Functional Selection Grade (NFSG) of Rs.8000-13500. The original applicants were already promoted to a still higher grade of Rs.10000-15200 in the year 1996-97 itself (corresponding scale PB-3+Grade Pay Rs.6600 in 6<sup>th</sup> CPC). The original applicants were never granted NFSG of Rs.8000-13500. Accordingly this NFSG cannot be counted as one of the financial upgradations in respect of the original applicants. They were accordingly due for 3<sup>rd</sup> financial upgradation under MACP to PB-3+Grade Pay Rs.7600, as has been upheld in the OA.

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4. There is no merit in the RA and the same is dismissed in circulation.

**(Pradeep Kumar)**  
**Member (A)**

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

‘San.’