

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...

**O.A. No.60/657/2017**

**Date of decision: 24.9.2019**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).  
HON'BLE MR. A.K. BISHNOI, MEMBER (A).**

...

1. Pawan Kumar, age 45 years, son of Sh. V.P. Rattan, working as Senior Social Security Assistant (Sr. SSA).
2. Sanjay Kumar, son of Sh. Rajinder Kumar, working as Senior Social Security Assistant (Sr. SSA).
3. Manoj Gupta son of Sh. Deep Kumar Gupta, working as Senior Social Security Assistant (Sr. SSA).
4. Savita daughter of Sh. Satvir Singh, working as Senior Social Security Assistant (Sr. SSA).
5. Bharat Bhushan Gupta, son of Sh. Megh Raj Gupta, working as Senior Social Security Assistant (Sr. SSA).
6. Pimmi daughter of Sh. Sandip Bhatia, working as Senior Social Security Assistant (Sr. SSA).
7. Pyare Lal son of Sh. Govind Ram, working as Senior Social Security Assistant (Sr. SSA).
8. Ramesh Chander son of Sh. Amar Singh, working as Senior Social Security Assistant (Sr. SSA).
9. Angrej Singh son of Sh. Sonu Ram, working as Senior Social Security Assistant (Sr. SSA).
10. Ram Swarup son of Sh. Punna Ram, working as Senior Social Security Assistant (Sr. SSA).
11. Gurmeet Kaur daughter of Sh. Ajeet Singh, working as Senior Social Security Assistant (Sr. SSA).
12. Rameshwar Dass son of Sh. Pool Chand, working as Senior Social Security Assistant (Sr. SSA).
13. Shobha Rani daughter of Sh. Ramesh Chand, working as Senior Social Security Assistant (Sr. SSA).

14. Seema Arora daughter of Sh. Satya Pal Arora, working as Senior Social Security Assistant (Sr. SSA).
15. Paramjeet Kaur daughter of Sh. Balwinder Singh, working as Senior Social Security Assistant (Sr. SSA).
16. Sunita Rani daughter of Sh. Niranjana Dass, working as Senior Social Security Assistant (Sr. SSA).
17. Renu Bhandari daughter of Sh. Jitender Bhandari, working as Senior Social Security Assistant (Sr. SSA).
18. Baljit Kaur daughter of Sh. Bela Singh, working as Senior Social Security Assistant (Sr. SSA)
19. Manish Gupta son of Sh. V.K. Gupta, working as Senior Social Security Assistant (Sr. SSA).
20. Rajni Bala daughter of Sh. Deepak Sharma, working as Senior Social Security Assistant (Sr. SSA).

All are working as Senior Social Security Assistant (Sr. SSA) Group C, under the control of respondent no.3 (Assistant, Provident Fund Commissioner, Employee Provident Fund Organization, Regional Office SCO No.4-7, Sector 17-D, Chandigarh).

**... APPLICANTS**

**VERSUS**

1. Union of India through Secretary, Ministry of Labour & Employment (EPFO), Government of India, Sharam Shakti Bhawan, New Delhi.
2. The Central Provident Fund Commissioner, Employee Provident Fund Organization, Bhavishya Nidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110066.
3. Assistant, Provident Fund Commissioner, Employee Provident Fund Organization, Regional Office SCO No.4-7, Sector 17-D, Chandigarh.

**... RESPONDENTS**

**PRESENT:** Sh. D.R. Sharma, counsel for the applicants.  
Sh. Aseem Rai, counsel for the respondents.

**ORDER (Oral)**

...  
**SANJEEV KAUSHIK, MEMBER (J):-**

1. The applicants have impugned order dated 5.11.2015 (Annexure A-1), whereby they have been denied benefit of second financial upgradation under MACP in the grade pay of Rs.4600/- w.e.f. 1.4.2014 since they have completed 10 years service as Senior SSA only on 31.3.2014 with grade pay of Rs.4200/- with a further prayer to grant them second financial upgradation under MACP in the grade pay of Rs.4600/-
2. After exchange of pleadings, matter came up for hearing today.
3. Sh. D.R. Sharma, learned counsel for the applicants brought to our notice that the impugned order herein was challenged before the Bangalore Bench of the Tribunal in the case of **Sri N.K. Sudheendra & Ors. vs. UOI & Ors.** (O.A. No.170/01767-01770/2015, wherein by the order dated 02.6.2017, the same has been set aside. Thus, he submitted that case of the applicants is squarely covered within four corners by decision of the Bangalore Bench, therefore, the same be allowed in the same terms.
4. Learned counsel for the respondents did not dispute the fact that the letter dated 5.11.2015, impugned before this Court has been set aside in the above noted decision. However, he submitted that he is in receipt of a communication that the orders of the Bangalore Bench have been challenged in judicial review in WP No.44917 of 2017. He

is not in position to cite any law contrary to the one quoted by the applicants.

5. In the wake of the above, we are left with no option but to dispose of this O.A. in the same terms as prayed by the learned counsel for the applicants, in the case of N.K. Sudheendra & Ors. (supra) and applicants will abide by decision to be given by the Hon'ble Karnataka High Court in the pending writ petition. No costs.

**(A.K. BISHNOI)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

Date: 24.09.2019.  
Place: Chandigarh.

`KR'

