

**Central Administrative Tribunal
Madras Bench**

OA/310/00834/2015

Dated Thursday the 13th day of June Two Thousand Nineteen

P R E S E N T

**Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

Dr.N.Uthayakumaran
Technical Officer-A,
National Institute of Epidemiology,
Chennai 600 077. .. Applicant
By Advocate **M/s.C.Vigneswaran**

Vs.

1. Union of India, rep by
Secretary to Government,
M/o Health & Family Welfare,
Nirman Vhawan,
New Delhi 110001.
2. The Indian Council of Medical Research,
rep. by its Director General,
Ansari Nagar, New Delhi 110029.
3. The Director
National Institute of Epidemiology,
Indian Council of Medical Research,
Ayapakkam, Chennai 600077. .. Respondents

By Advocate **Mr.K.Rajendran (R1), Mr.M.T.Arunan(R2&3)**

ORAL ORDER

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

The applicant has filed this OA seeking to quash the order of the 3rd respondent in Proceeding dated 06/12/5.2015 and consequently direct the respondents to continue to fix the pay of the applicant based on the Fitment table for the pre-revised pay scale of Rs.7450-11500.

2. The respondents have entered appearance and filed the reply statement. However, today, when the matter is taken up for hearing, learned counsel for the respondent 2 and 3 submits that the relief sought by the applicant had already been granted and he produces a reply to this effect wherein para-6 reads as follows:-

"6. Now ICMR has implemented Merit Based Assessment Promotion Scheme (MBAPS) with retrospective effect notionally from 01.01.1992 and with actual benefit from 01.01.1996. As per this Scheme, Dr.N.Uthayakumaran has been granted the promotions from the date of his initial appointment as follows:-

| Date | Designation | Scale of pay |
|----------|-----------------------------|--|
| 01/06/88 | Technical Assistant | Rs.1400-2300 |
| 01/04/94 | Technical Officer | Rs.2000-60-2300-75-3200-100-3500(6500-10500) |
| 01/04/99 | Sr. Technical Officer(1) | Rs.8000-275-13500 |
| 01/04/04 | Sr. Technical Officer(2) | Rs.10000-325-15200+GP-6600 |
| 01/04/09 | Sr. Technical Officer(3) | Rs.15600-39100+GP-7600 |
| 01/04/14 | Principal Technical Officer | Rs.37400-67000+GP-8700 |

With the implementation of MBAPS, Dr.Uthayakumaran has been given assessment promotions retrospectively with the result, the applicant has been

given the pay scale of Rs.10000-325-15200 w.e.f. 01.04.2004, which is much higher then the pay scale of Rs.7450-11500 which was wrongly given to him w.e.f. 01.01.2006. He has also been paid the arrears for the above promotions."

The same is taken on record. Learned counsel for the applicant corroborates the same.

3. Taking into consideration the reply filed by R2&3 and the above submission made by both sides, as the relief prayed for by the applicant has already been granted, nothing survives in this OA and it is liable to be dismissed. Accordingly, the OA is dismissed as infructuous. No order as to costs.

(T.Jacob)
Member(A)

(P.Madhavan)
Member(J)

13.06.2019

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