

CENTRAL ADMINISTRATIVE TRIBUNAL**CHENNAI BENCH****ORIGINAL APPLICATION NO. 310/00 939/2019****Dated Thursday ,the 18th day of July, 2019****PRESENT**

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

R.Jayaraj
Superintendent of GST & Central Excise
Residing at Plot No47-A, VOC Street, Gandhi Nagar,
Saligramam,
Chennai – 600 093.

....Applicant

By Advocate M/s R.Thirumalai

Vs

1. Union of India,
Rep. by the Chairman,
Central Board of Indirect Taxes & Customs,
North Block,
New Delhi – 110 001.
2. The Principal Chief Commissioner of GST & Central Excise
No.121, Mahatma Gandhi Road,
Nungambakkam,
Chennai 600 034.
3. The Commissioner of GST & Central Excise
Chennai Audit-1 Commissionerate
Chennai – 600 101.

....Respondents

ORAL ORDER

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

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

"I. To direct the Respondents to grant Grade Pay of Rs.5400/- in Pay Band-2 to the Applicant with effect from 21.04.2008, upon completion of four years of service in the Grade Pay of Rs.4800/- (pre revised grade pay of Rs 7500-12000) as per the dictum of the Hon'ble High Court of Madras dated 06.09.2010 made in W.P.No. 13225 of 2010 with all consequential, allied and incidental benefits including arrears of pay, pay fixation etc and also costs and pass such further or other orders as are necessary to meet the ends of justice".

2. Learned counsel for the applicant submits that the applicant is working as Superintendent of GST & Central Excise. The learned counsel for the applicant submits that the Hon'ble High Court of Madras and Hon'ble Supreme Court has passed judgements in favour of the applicant in the similar matters. The applicant wants to get the relief considered by the respondents and his Annexure A7 representation dated 03.01.2018 is still pending. It is seen from the pleadings that the respondents had not passed any order in the representation given by the applicant. So it is premature to say that respondents denied the relief claimed by him. It is only appropriate that respondents are directed to pass a speaking order. Even according to the applicant, the matter is already decided finally by order of the Hon'ble Madras High Court in W.P.13225/10 and confirmed by the Hon'ble Supreme Court in Civil Appeal No: 8883/11.

3. So we deem it appropriate to direct the competent authority to consider Annexure A7 representation dated 03.01.2018 of the applicant in accordance with law and in the light of the facts of his case and pass a reasoned and speaking order within a period of 4 months from the date of receipt of a copy of this order.

4. Accordingly, the OA 939/2019 is disposed of with the above direction at the admission stage.

(T.Jacob)
Member(A)
SV

18.07.2019

(P.Madhavan)
Member(J)