

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

**OA/310/00870/2017, OA/310/00884/2017, OA/310/00885/2017,
OA/310/00889/2017, OA/310/00891/2017 & OA/310/01437/2017**
Dated Wednesday the 19th day of June Two Thousand Nineteen

**CORAM : HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

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|---------------------|-----------------------------|
| 1. S.Sampath | ..Applicant in OA 870/2017 |
| 2. R.Kumar | ..Applicant in OA 884/2017 |
| 3. P.Muthuvel | ..Applicant in OA 885/2017 |
| 4. G.Gopalakrishnan | ..Applicant in OA 889/2017 |
| 5. J.Selvam | ..Applicant in OA 891/2017 |
| 6. R.Syed Ziavudeen | ..Applicant in OA 1437/2017 |

By Advocate M/s Ratio Legis

Vs

1. Union of India rep. By
The Central Provident Fund Commissioner
EPF Organisation, Head Office
No.14 Bhikaji Cama Place
New Delhi 110 066
2. The Additional Central Provident Fund Commissioner (HRM)
EPF Organisation, Head Office
No.14 Bhikaji Cama Place
New Delhi
3. The Additional Central Provident Fund Commissioner
EPF Organisation Zonal Office (TN & KR)
No.37 Royapettah High Road
Chennai 14
4. The Regional Provident Fund Commissioner-II/Adm.
EPF Organisation Regional Office
No.37 Royapettah High Road
Chennai 14

....Respondents

By Advocate Mr. V.Vijay Shankar

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Since the issues involved and the relief sought in all the OAs are stated to be similar, the OAs are taken up for disposal by this common order.

2. The applicant in OA 870/2017 has sought the following relief :

"To call for the records related to the impugned order dated 17.11.2016 and service particulars of the applicant and to quash the same to the extent the same is denying financial up-gradation to the applicant and further to direct the respondents to extend MACP benefit to the pay band of Rs.9300-34800 with grade pay of Rs.4600/- on and from 07.12.2014 for remaining in the same grade pay for over 10 years as per the provisions of office Memorandum dated 19.05.2009 providing for MACP and to pass such order/orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice."

3. Both sides submit that a similar matter was heard in OAs 1401 & 818/2016 which were disposed of by an order dt. 07.06.2019 and the instant OAs are similar except that in the case of the aforesaid OAs, MACP benefit was granted over and above three MACP upgradations already granted and the relevant order was subsequently withdrawn which was challenged in the OAs. However, in the instant cases, the request for MACP over and above the upgradations already granted itself was not acceded to by the respondents.

4. Both sides also submit that in the order passed in OAs 1401 & 818/2016, it was noted that the matter was similar to the matter agitated in OA 708-710/2016 disposed of by this Tribunal on 24.07.2017 which had already been challenged in the Hon'ble Madras High Court in WPs No. 5981, 7675, 7677, 29252 & 29685/2018. Accordingly the aforesaid OAs had been disposed of with a direction to the respondents to act in accordance with the direction of the

Hon'ble High Court in the pending WPs. The relief sought in the instant OAs could also be directed to be considered by the respondents in terms of the orders to be passed by the Hon'ble Madras High Court in the said WPs, it is urged.

5. Keeping in view the above submission, the OAs are disposed of with a direction to the respondents to consider the claim of the applicants in terms of the direction to be passed by the Hon'ble High Court in the aforesaid WPs and pass a reasoned and speaking order within a period of three months thereafter.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

19.06.2019

SKSI