

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW**

Original Application No.332/00183/2019

This the 01st day of April, 2019

Hon'ble Ms. Jasmine Ahmed, Member - J

Hon'ble Mr. Devendra Chaudhry, Member - A

1. Gautam, aged about 60 years, son of Late Bharat Ram, Rajeev Nagar, Ghosiyana, Telibagh, Lucknow- 226025.
2. Narmada Prasad, aged about 60 years, son of Sri Sharvan Kumar, resident of House No.1, Malak Road, Vidya Nagar, Nilmatha, Cantt. Lucknow-226002.

..... Applicant

By Advocate: Sri Dileep Singh

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Chief of the Army Staff, Integrated Headquarters, Ministry of Defence (Army) DHQ, New Delhi- 110001.
3. Director General of Medical Services (Army)/DGMS-3(B), Adjutant General's Branch, 'L' Block, New Delhi- 110001.
4. Commandant, Army Medical Core Center And College Lucknow, Cantt., Lucknow 226002.

..... Respondents

By Advocate: Sri Rajesh Katiyar

O R D E R (ORAL)

Delivered by:

Hon'ble Ms. Jasmine Ahmed, Member - J

By means of this OA, the applicants are aggrieved with inaction of the respondents for not granting the pay scale of Rs. 4000-6000 in 1st Assured Career Progression Scheme (ACP), the pay scale of Rs. 5000-8000 in 2nd ACP and pay band of Rs. 9300-34800+GP Rs. 4600 in 3rd Modified Assured Career Progression Scheme (MACP), which has been granted to other similarly situated personnels.

2. The case of the applicants are that applicant no. 1 namely Sri Gautam was appointed on the post of Bootmaker (semi skilled) on 21st November 1979 in the pay scale of Rs. 210-290 and was retired from service w.e.f. 30.11.2018 while the applicant no.2 namely Narmada Prasad, who was also appointed on the post of Bootmaker (semi skilled) on 22nd February 1984, retired from service on 30th April, 2018. Learned counsel for the applicants further submits that the applicants have been granted the ACPs/MACPs in an erroneous and discriminatory manner and the similarly situated other Bootmakers and Painters working in other units have been granted higher pay scales/grade pay in comparison to the applicants. In this regard, applicants have preferred separate representations dated 23.07.2018 to the respondents, which have been annexed as Annexure No. A-6 (page-24 and 25) but the same are said to be pending. He prays, at this stage, that he will be happy and satisfied that if a direction be given to the respondents to decide the representations of the applicants pending with the respondents in a time bound manner in accordance with law.

3. Taking into account the prayer made by the applicants' counsel, we direct the respondents to take a decision on the pending representations of the applicants dated 23.07.2018 within a period of three months in accordance with law by passing a reasoned and speaking order from the date of receipt of certified copy of this order. It is made clear that we have not commented anything on the merit of the case.

4. With the above observation and direction, O.A stands disposed of at the admission stage itself. There shall be no order as to costs.

(Devendra Chaudhry)
Member (A)

(Jasmine Ahmed)
Member (J)