

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/01021/2019

Jabalpur, this Monday, the 11th day of November, 2019

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

N.K. Shrivastava, S/o Shri B.P. Shrivastava, aged about 58 years, Chief Law Assistant, Coach Rehabilitation Work Shop, Bhopal, R/o 122, Navin Nagar Colony Ashbagh, behind Hind Convent School, Bhopal (M.P) 462008
-Applicant

(By Advocate – Shri Gajendra Singh)

V e r s u s

1. Union of India through General Manager, West Central Railways, Jabalpur (M.P) 482001.
2. Chief Works Manager, Coach Rehabilitation Work Shop, Bhopal (M.P) 462037
-Respondents

(By Advocate – Shri A.S. Raizada)

O R D E R (O R A L)

Through this Original Application, the applicant is seeking the benefit of higher pay scale under the Modified Assured Career Progression (**MACP**) scheme w.e.f. 02.06.2017 by placing him in the Grade Pay of Rs.5400/-.

2. Precisely, the case of the applicant is that he is presently posted as Chief Law Assistant. The applicant joined the Railway services as Group D employee in the year 1983. Thereafter, he was

selected as Law Assistant through departmental examination. Subsequently, the applicant was granted the benefit of MACP vide order dated 30.08.2010 (Annexure A-1).

3. The applicant was served with a chargesheet dated 10.11.2008 alleging therein certain misconduct while he was working as CLA in Kota Division. He had filed Original Application No.258/2009 before the Jaipur Bench of this Tribunal, which was disposed of vide order dated 18.04.2011 by quashing the chargesheet dated 10.11.2008. The applicant submitted a representation dated 12.10.2018 (Annexure A-5) for grant of MACP w.e.f. 02.06.2017 and Grade Pay of Rs.5400/-, which was forwarded by the Department vide Annexure A-6 dated 20.10.2018. The applicant submits that though the office of the Divisional Railway Manager, Kota vide letter dated 02.08.2019 (Annexure A-7) has narrated the fact that no stay order is pending before any court against the order passed by the Jaipur Bench of this Tribunal in OA No.258/2009, however, his representation has not been decided so far.

4. At this stage, learned counsel for the applicant submits that the applicant may be permitted to file a detailed representation to the respondents for redressal of his grievances raised in this

Original Application and the respondents may be directed to consider and decide the same in a time-bound manner.

5. I feel that prayer made by learned counsel for the applicant is genuine particularly in view of Annexure A-7 dated 02.08.2019, whereby it has been stated that no stay order is pending before any Court against the order dated 18.04.2011 of the Jaipur Bench of this Tribunal. Accordingly, the applicant is permitted to file a detailed representation to the respondents, within 10 days from today. On receipt of such representation, the competent authority of the respondent department is directed to consider and decide the same, within a period of 60 days thereafter by passing a reasoned and speaking order.

6. In view of it, this Original Application is disposed of at the admission stage itself. Needless to say that this Tribunal has not commented on merits of the case.

**(Ramesh Singh Thakur)
Judicial Member**

am/-