

(2018) 12 CAT CK 0048

In the Central Administrative Tribunal

Case No : Original Application No. 60, 1316 Of 2018, Miscellaneous Application
No. 60, 1694 Of 2018

Charan Dass

APPELLANT

Vs

Union Of India

RESPONDENT

Date of Decision : 06-12-2018

Acts Referred:

Central Administrative Tribunal (Procedure) Rules, 1987 — Rule 4(5)(a)

Citation : (2018) 12 CAT CK 0048

Hon'ble Judges : Ajanta Dayalan, J

Bench : Single Bench

Advocate : I.P.S. Mangat, Jatinder Jit Kaur

Final Decision : Disposed Off

Judgement

MA No.60/1694/2018

1. Heard.

2. The present Miscellaneous Application has been filed under Rule 4 (5) (a) of the C.A.T. (Procedure) Rules, 1987, seeking permission to allow the applicants to file a joint petition. For the reasons stated therein, the same is allowed, permitting the applicants to file a joint OA.

OA No.60/1316/2018

1. Heard. The learned counsel for the applicants submitted that all the applicants are retired employees, who have been denied the benefit of 3rd financial upgradation under MACP Scheme, which was effective from 01.09.2008, even though there is a specific clarification to this effect by Ministry of Defence, vide order dated 27.03.2014 (Annexure A-2). The learned counsel for the applicants further submitted that all the applicants are fully covered under the clarification given in Annexure A-2. However, in response to their legal notice dated 01.05.2018, a reply has been given vide letter dated nil (Annexure A-6), wherein

it has been stated that the matter is lying pending with Ministry of Defence for clarification inspite of reminder from Pr. CDA Western Command Chandigarh.

2. The learned counsel for the applicants submitted that the applicants will be satisfied if the directions are issued to the respondents to finally decide the matter in a time bound manner.

3. Issue notice to the respondents.

4. At this stage, Mr. Sanjay Goyal, Senior Central Government Standing Counsel, appears and accepts notice on behalf of the respondents, and does not object to the prayer of the applicants in the requested manner. Therefore, with the consent of both the counsels for the parties, OA is disposed of in limine with a direction to the competent authority to take a view on the legal notice, within a period of two months, from the date of receipt of certified copy of this order.

5. Needless to say, this order does not reflect, in any manner, an expression on the merits of the case.