

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH, 15 CIVIL LINES CARAVS BUILDING JABALPUR -482001

ORDER SHEET

COURT NO. : 1
01.05.2018
O.A./200/932/2017
M.A./200/388/2018




ALL INDIA DOORDARSHAN TECHNICAL EMPLOYEES
ASSOCIATION & OTHERS
-V/S-
M/O INFORMATION AND BROADCASTING

ITEM NO:36 (MAIN)
FOR APPLICANTS(S) Adv. :

Shri S.K. Nandy

FOR RESPONDENTS(S) Adv.:

Shri D.S. Baghel

Notes of The Registry	Order of The Tribunal
	<p>MA No.200/388/2018 has been filed on 26.03.2018 for grant of interim relief.</p> <p>It was directed on 05.04.2018 that the question of interim relief would be considered on the next date of hearing, i.e. 25.04.2018. Since the learned counsel for the respondents was on adjustment on 25.04.2018, therefore, the matter was posted today for considering the interim relief.</p> <p>Learned counsel for the applicants submits that the benefit of financial upgradation under the MACP granted to the applicants on 01.09.2008, are being withdrawn as per orders communicated to them by memo dated 12/15.01.2017 {year should have been 2018} (Annexure IA-1). Therefore, they have prayed for the interim relief, which is as under:</p> <p style="padding-left: 40px;">"It is therefore prayed that the action of the respondents in snatching the benefits of first MACP upgradation be stayed during the pendency of the present original application and the respondents be restrained to reduce the applicants' grade pay or gross salary and further restrain them to initiate any recovery against the applicants, during the pendency of the present original application, in the interest of justice."</p> <p>During the course of argument, learned counsel for the applicants placed reliance on a decision of Hon'ble Apex Court in the case of State of Punjab Vs Rafiq Masih(White washer) and others, (2014) 8 SCC 833.</p> <p>A short reply has been filed by the respondents.</p> <p>We have gone through the averments made in the MA and also considered the short reply filed by the respondents.</p> <p style="text-align: center;"> </p>



In this case, the benefits given to the applicants almost a decade back, are proposed to be withdrawn and recovery is sought to be made. Therefore, we allow this MA and direct the respondents that no recovery shall be made from the applicants till the next date of hearing.

Learned counsel for the respondents prays for and is granted four weeks' time to file detailed reply.

List this matter for orders on 16.07.2018.

Issue certified copy.

Sd/-
(RAMSAY SINGH BHAKUR)
MEMBER (J)

Sd/-
(NAVIN TANDON)
MEMBER (A)

Anupam

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Shri S.K. Nandy
Advocate,
C.A.T. Jabalpur

3047
03/05/18

के.प्र.अ. प्रक्रिया नियमावली के नियम
22 के अंतर्गत निःशुल्क प्रतिलिपि

TRUE COPY

Sd/-
31/5/18

Section Officer
Central Administrative Tribunal
Jabalpur Bench, Jabalpur