



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

113

RA-CW-126-2026 IN

CWP-32136-2019

Date of Decision: 10.03.2026

UNION OF INDIA AND OTHERS

...Petitioners

Versus

CENTRAL ADMINISTRATIVE TRIBUNAL AND ANR

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Mr. Sandeep Siwatch, Advocate,
for the review applicant-respondent No.2 (through V.C.)

HARSIMRAN SINGH SETHI, J. (ORAL)

1. The present review application has been filed for review of the order dated 27.01.2026 (Annexure RA-1) passed by this Bench in CWP-32136-2019, by which the writ petition filed by the Union of India was allowed and the order dated 19.03.2019 passed by the Central Administrative Tribunal, Chandigarh Bench (hereinafter referred to as 'the Tribunal') had been set aside

2. Before advertng to the review application, it may be noticed that the order dated 27.01.2026 was dictated in the open Court keeping in view the arguments raised before the Court for its consideration and all the arguments raised were considered and decided.

3. By this review petition, learned counsel for the review applicant submits that as per the instructions under the MACPS dated 19.05.2009, which have been issued by the Union of India, Clause 24 thereof grants him



the benefit of continuing with the MACP, which has been ignored by this Court while passing the order dated 27.01.2026.

4. Though, the said argument was not raised before the Court on 27.01.2026, but even then the said argument is now being dealt with. The said Clause 24 of instructions dated 19.05.2009 is as under:-

“24. In case of an employee after getting promotion/ACP seeks unilateral transfer on a lower post or lower scale, he will be entitled only for second and third financial upgradations on completion of 20/30 years of regular service under the MACPS, as the case may be, from the date of his initial appointment to the post in the new organisation.”

5. A bare perusal of the above reproduction would show that it is only where “transfer on a lower post” is sought, the benefit is to be granted as per Clause 24 of instructions dated 19.05.2009. In the present case, it is not a case of a transfer to a lower post but of a reversion from a post of Upper Division Clerk to the post of Lower Division Clerk in the same office. It is pertinent to mention here that the transfer from one organisation to another organisation is different from seeking reversion from the post of Upper Division Clerk to that of Lower Division Clerk. Hence, argument that the case of respondent No.1 is covered under Clause 24 of instructions dated 19.05.2009 is totally mis-reading.

6. Learned counsel for the review applicant further argues that in the year 2022, respondent No.1 agreed that the claim of the review applicant is covered qua the grant of benefit of MACP. In this regard, it may be



noticed that though the said letter was tagged with the record but it is being mis-interpreted to file a review application. In the present case, it has only been mentioned that the date of reversion is to be taken into account for the grant of benefit of MACP in case respondent No.1 is eligible. Whereas, the claim raised before the Tribunal was that from the initial date of appointment to the post of Lower Division Clerk by ignoring the promotion and reversion, the benefit of MACP is to be given, which claim was decided by this Court while passing the order under review.

7. Keeping in view the totality of the case, no ground is made out to review of order dated 27.01.2026 passed by this Bench in CWP-32136-2019.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

March 10, 2026
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Whether speaking/reasoned	Yes
Whether reportable	No