

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/640/2019

HYDERABAD, this the 22nd day of January, 2020



**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**

N.S. Prakash Rao,
S/o. Late Appa Rao,
Age 68 years, Occ: Retd. Stenographer,
R/o. D.No.13-113/1/4, Satabdi Nagar,
Chinna Musidiwada,
Visakhapatnam ò 530 015.
O/o. Naval Dockyard, Visakhapatnam
Headquarter Eastern Naval Command,
Visakhapatnam.

... Applicant

(By advocate: Mrs. Anita Swain)

Vs

1. The Union of India rep. by its
Secretary, Ministry of Defence,
South Block, New Delhi.
2. The Chief of the Naval Staff,
Integrated Headquarters,
Ministry of Defence,
New Delhi ò 110 011.
3. Flag Officer-Commanding in Chief,
Head quarter Eastern Naval Command,
Naval Base, Visakhapatnam ò 530 014.
4. The Admiral Superintendent,
Naval Dockyard, Naval Base,
Visakhapatnam.

... Respondents

(By advocate: Mr. D. Laxmi Narayana Rao,
Addl. CGSC)

O R D E R (ORAL)**Hon'ble Mr. Ashish Kalia, Judl. Member**

Heard the learned counsel for the applicant. None appeared for the respondents. Right to file reply has already been forfeited.

2. The applicant is seeking consideration of his initial service on casual basis from 15.5.1980 onwards for the purpose of granting ACP/MACP benefit. Learned counsel for the applicant has drawn our attention to the order dated 9.9.2016 of this Tribunal in O.A. No.826/2016 as well as the judgement of the Hon'ble High Court of Punjab & Haryana in W.P. No.24314 & 24944/ 2008. The operative portion of the order of this Tribunal in O.A. No.826/2016 is as under:

ö7. In view of the above position, we direct the respondents to extend the benefit of ACP/ MACP Schemes by counting applicants' service from the date of their initial appointment as was given to the applicants in O.A. No.451/2011, provided the applicants herein stand on the same footing. Time granted for compliance is three months from the date of receipt of a copy of this order.ö

3. We have no hesitation to hold that the applicant's adhoc service is to be counted for the purpose of ACP alone. The respondents are directed to extend the benefit to the applicant within 90 days from the date of receipt of this order. The O.A. is disposed of. No order as to costs.

(B.V. SUDHAKAR)
ADMN. MEMBER

(ASHISH KALIA)
JUDL. MEMBER

/pv/