

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/1057/2017

HYDERABAD, this the 22nd day of January, 2020

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



1. Pilla Sankara Rao, S/o. late Pilla Appa Rao,
Aged 59 years, Occ: TMM,
R/o. H.No.1-235/1, Gurram St.,
Paravada Mandal, Lankalapalem,
Visakhapatnam 531 019.
2. Konathala Surya Rao, S/o. late K. Appala Naidu,
Age 55 years, Occ: SK (Painter),
R/o. D.No.60-3-18, Prakash nagar,
Near 7 temples, Malkapuram,
Visakhapatnam 530 011.
3. B. Appala Raju, S/o. Late B. Appa Rao,
Age 59 years, Occ: TMM,
R/o. D.No.38-30-57, Sai Nagar, Marripalem,
Visakhapatnam 530 018.
4. Garikina Raju, S/o. late G. Simadri,
Age 54 years, Occ: SK (Painter),
R/o.D.No.2-6-218, Mulapalem Colony,
Sector-9, Visakhapatnam 530 017.
5. Sainu Sekhar, S/o. S. Laxman Murthy,
Age 57 years, Occ: TMM,
R/o. D.No.5-100/48, STBL-Seetharama Gardens,
Phase-II, Near Sathivanipalem,
Visakhapatnam 530 012.

... Applicants

(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 Naval Staff,
Integrated Headquarters,
Ministry of Defence,
Sena Bhavan, PO, DHQ,
New Delhi 110 011.
3. Flag Officer-Commanding in Chief, for CCPO,
Head Quarter Eastern Naval Command,
Naval Base, Visakhapatnam.
4. The Material Superintendent,
Material Organization,
Eastern Naval Command,
Naval Base, Visakhapatnam.

... Respondents

(By advocate: Mr. M. Venkata Swamy,
Addl. CGSC)

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

Heard the learned counsel for the applicants and the learned counsel for the respondents.

2. The applicants are seeking consideration of their initial service on casual basis from 15.4.1982 onwards for the purpose of granting ACP benefit. Learned counsel for the applicants 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 applicants' adhoc service is to be counted for the purpose of ACP alone. The respondents are directed to extend the benefit to the applicants 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

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