

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/741/2017

HYDERABAD, this the 22nd day of January, 2020

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



1. S. Janeswara Rao, S/o. late Swami Naidu,
Age 58 years, Occ: Safaiwala (MTS)
In INS Circar, R/o. D.No.15-263-
Laxminagar, F Block, Gopalpatnam,
Visakhapatnam ó 500 027.
2. B. Rama Rao, EDP No.2882, S/o. Late Ramulu,
age 56 years, Occ: Safaiwala (MTS)
In O/o HQENC/ SO(CP),
R/o.65-4-22/2, Santhi Nagar,
Sriharipuram, Malkapuram,
Visakhapatnam, A.P. ó 530 011.
3. S. Appa Rao, S/o. S. Narayana,
Age 55 years, Occ: Safaiwala,
O/o. Material Organization, ENC(V),
R/o.H.No.10-43, Papayyarajupalem,
Near Petrol Bunk, Sujatha Nagar, Pendurthi,
Visakhapatnam ó 530 051.
4. B. Mohan Rao, S/o. A. Chalapathi Rao,
Age 56 years, Occ: Safaiwala (MTS) in
Ship Building Centre(V), R/o. D.No.60-31-224/A,
Janatha Colony, Near YSR Kalyana Mandapam,
Visakhapatnam.

... 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 ó 110 011.
3. Flag Officer-Commanding in Chief
for CCPO,
Head Quarter Eastern Naval Command,
Naval Base, Visakhapatnam.
4. The Material Superintendent,
for Controller (P&A), NAD, Eastern Naval Command,
Naval Dockyard, Visakhapatnam.

... Respondents

(By advocate: Mrs. B. Gayatri Varma, Sr. PC to CG)

ORDER (ORAL)

Hon'ble Mr. Ashish Kalia, Judl. Member

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



2. The applicants are seeking consideration of initial service on casual basis 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:

õ7. 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 accordingly. No order as to costs.

(B.V. SUDHAKAR)
ADMN. MEMBER

(ASHISH KALIA)
JUDL. MEMBER

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