

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.NO.2485/2000

New Delhi, this the 29th day of November, 2000

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Willam Musa,
S/O Sh. Bhoia Nath,
R/O R-38H, Dilshad Garden,
Delhi-95

...Applicant.

(By Advocate: Sh. Prakash Chander)

VERSUS

1. Union of India
through
General Manager, Northern Railway,
Head Quarters Office, Baroda House,
New Delhi.

2. Divisional Railway Manager,
Northern Railway, Moradabad.

..Respondents.

O R D E R (ORAL)


Sh. S.A.T. Rizvi, M (A):-

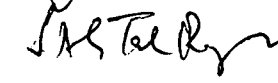
The applicant is aggrieved by the delayed action on the part of the respondents in not promoting him for second financial upgradation in accordance with the Assured Career Progression (ACP) Scheme for the Railway Servants contained in the Ministry of Railways (Railway Board) letter dated 1.10.99. The applicant has been in service for 35 years and will be superannuated in February, 2001. In accordance with the ACP Scheme, a Govt. servant is normally entitled to first financial upgradation after 12 years and the next after 24 years of service. The length of the applicant's services extends well beyond the aforesaid period of 24 years and, therefore, in normal course, he should have been granted the second financial upgradation. However, the grants of such upgradations are always subject to fulfilment of certain conditions such as satisfactory performance etc.

(3)

L 2. The applicant has filed representations one after the other starting from Jan., 2000. The last representation ^{is} ~~being~~ dated 30.10.2000 (Annexure A-5). There has ^{& been} no response from the respondents despite a lapse of about a year since he first filed his representation in January, 2000. Considering that the applicant will be retiring in February next year, the best option available to us, considering the demand for justice in this case, is to dispose of this OA by a direction to the respondent No.1 (General Manager, Northern Railway, New Delhi) to consider the representations filed by the applicant and take a final decision in accordance with the rules within a period of two months from the date of receipt of a copy of this order. The order to be passed by the respondent no.1 will contain reasons and will also refer to the rules and instructions relied upon if the representations of the applicant ^{& are} ~~is~~ proposed to be rejected. *An opportunity of being heard & will also be given to the applicant.*

3. The OA is disposed of as above at the admission stage itself. No costs.


(Ashok Agarwal)
Chairman


(S.A.T. Rizvi)
Member (A)

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