

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.779/2000

Hon'ble Shri M.P.Singh, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

New Delhi, this the 20th day of August, 2001

Jagdish Singh Bhandari
aged about 47 years
s/o Late Shri U.S.Bhandari
r/o 31/4, A.F.I.Building
Church Street
Mall Road
Meerut Cantt.
(By Advocate: Shri U.S.Bisht)

... Applicant

Vs.

1. Union of India through
Secretary
Ministry of Defence
South Block
New Delhi.
 2. The Engineer-in-Chief
Army Headquarters, Kashmir House
DHQ PO New Delhi.
 3. Chief Engineer
Headquarters Central Command
Lucknow.
(By Advocate: Shri K.R.Sachdeva)
- ... Respondents

O R D E R(Oral)


By Shri M.P.Singh, Member(Admn.):

By filing this OA the applicant sought the following reliefs:

"8.1 The Hon'ble Tribunal be pleased to direct the respondents to promote the applicant as Stenographer Grade-II w.e.f. 18.3.80 with consequential benefits in the matter of further promotion as Stenographer Grade-I and Senior Personal Assistant in accordance with OM dated 8.4.80 and to pay the arrears of pay and allowances with all consequential benefits of service.

8.2 Alternatively, the Hon'ble Tribunal be pleased to direct the respondents to upgrade the applicant in the pay scale of Rs.425-700 (Revised 5000-8000) as Stenographer Gde II wef 1.1.86 with all consequential benefits in the matter of further promotion in accordance with OM dated 6.2.89.

(a) As Stenographer Grade I after completion of 5 years service of earlier from the date of promotion of any of the juniors.



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- (b) Further promotion as Senior PA on completion of 5 years service or earlier with effect from the date of any of the juniors with all consequential benefits, i.e., pay arrears and allowances of service.
- (c) In alternative, the respondents may please be directed to promote the Applicant as Office Supdt. Gde I in the year 1994 in the manner in which Shri Yogendra Sharma has been promoted to the said post in the year 1998 as he is more than 4 years junior to the applicant with all the consequential benefits of arrears of pay and allowances, seniority, etc.
- (d) Other consequential reliefs arising out of the applicant's seniority and record of service.
- (e) This Hon'ble Tribunal may be pleased to allow the cost of the instant application as the applicant is a low paid employee and has unnecessary been dragged into litigation."

2. We have carefully considered the rival contentions of both the parties. During the course of the arguments, the learned counsel of the respondents has stated that the applicant has been given two promotions under the Assured Career Progression Scheme. He also produced the letters dated 9.6.2001 and 9.7.2001 whereby the applicant has been given first upgradation on completion of 12 years of service w.e.f. 1.3.1999 and second upgradation in the scale of Rs.5500-9000 on completion of 24 years of service under the ACP Scheme respectively. He also stated that the applicant has already been given much more than what he has sought in his relief by filing the present OA. On this the learned counsel of the applicant has sought permission to withdraw the OA. The OA is accordingly dismissed as withdrawn with liberty to reagitate the matter if he still feels aggrieved.. No costs.

S. Raju
(SHANKER RAJU)
MEMBER(J)

M.P. Singh
(M.P.SINGH)
MEMBER(A)