

Central Administrative Tribunal, Principal Bench, New Delhi

O.A.No.1751/2004

Hon'ble Mr.Justice V.S. Aggarwal, Chairman  
Hon'ble Mr.S.A. Singh, Member(A)

New Delhi, this the 3rd day of August, 2005

Shri S.S. Bansal,  
Executive Engineer (Retd.) - Civil,  
C.P.W.D.,  
R/o C-134, Sector-19,  
Noida-201301 (U.P.)

....Applicant

(By Advocate: Ms.Meenu Mainee,proxy for Shri B.S. Mainee)

Versus

1. Union of India,  
Through the Secretary,  
Ministry of Urban Development & Poverty Alleviation,  
Nirman Bhawan, New Delhi-11
2. The Director General of Works,  
C.P.W.D.,  
Nirman Bhawan, New Delhi-11

....Respondents

(By Advocate: Shri Madhav Panikar)

Order(Oral)

Justice V.S. Aggarwal, Chairman

After hearing the parties' counsel, the controversy has come within a very short compass and, therefore, it becomes unnecessary to go into all the intricacies and other pleas that were raised in the petition.

2. The reasons are obvious and we can delineate the same.  
3. It is not in dispute that the applicant's claim is for the grant of second financial upgradation under the Assured Career Progression Scheme (for short 'ACP Scheme'). The Departmental Screening Committee had met on 25.2.2000 and rejected the claim of the applicant. On that date, the applicant was facing disciplinary proceedings for minor penalties and another disciplinary proceedings for major penalties.

4. It is not disputed and in fact fairly conceded that so far as disciplinary proceedings for minor penalties are concerned, on 16.1.2003, they have been dropped and with respect to proceedings for major penalties, the same have

18 Aug

AS

ended conveying the displeasure of the Government to the applicant on 25.2.2002.

5. Both these proceedings have come to an end after the decision on 25.2.2000 of the Screening Committee.

6. Resultantly, keeping in view the aforesaid, it becomes necessary that the claim of the applicant is considered and, therefore, it is directed that a review committee may re-consider the facts which we have recorded above and thereafter consider the claim of the applicant for the second financial upgradation under the ACP Scheme. It shall be highly appreciated if decision is taken in this regard preferably within four months of the receipt of the certified copy of the present order. By way of abundant caution, we make it clear that nothing said herein should be taken as any expression of opinion for or against either party.

O.A. is disposed of.

  
( S.A. Singh )  
Member(A)

  
( V.S. Aggarwal )  
Chairman

/dkm/