

2

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 06<sup>th</sup> day of September, 2005

Original Application No. 1023 of 2005

Hon'ble Mr. A.K. Bhatnagar, Member- J  
Hon'ble Mr. D.R. Tiwari, Member- A.

Akhilesh Kumar Dwivedi, a/a 40 years,  
S/o Sri Bindu Prasad Dwivedi,  
R/o Q.No. 21/8, Golf Course Colony,  
Cantt. Kanpur.

.....Applicant

Counsel for the Applicant: - Sri R.K. Shukla

VERSUS

1. The Union of India through the Secretary,  
Ministry of Defence, D/o Defence Production  
and Supplies, New Delhi- 11.
2. The Addl. DGO. F., Ordnance Equipment Fys. Group,  
HQrs, Ayudh Upaskar Bhawan, G.T. Road, Kanpur.
3. The General Manager, Ordnance Equipment Factory,  
Kanpur.

.....Respondents

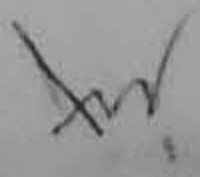
Counsel for the Respondents :-

ORDER

By Hon'ble Mr. A. K. Bhatnagar, JM.

By this O.A, the applicant has sought the following relief (s):-

- (i) To issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 11.07.2005 denying the benefits



of financial up gradation at the rate of Rs. 4000/- per month w.e.f. 09.08.1999 under ACP- I Scheme;

(ii) To issue a writ, order or direction in the nature of mandamus directing the respondents to grant financial up gradation benefit under the ACP Scheme w.e.f. 09.08.1999 with all consequential benefits.

(iii) To issue any other suitable writ, order or direction in view of the facts and circumstances of the case which this Hon'ble Tribunal may deem fit and proper.

2. The grievance of the applicant, in short, is that he has not been granted benefit under ACP Scheme for which he was entitled from 09.08.1999. The applicant is stated to have been appointed on the post of Tailor (S.S Grade) in O.D Equipment Factory, Kanpur on 11.02.1985. Learned counsel for the applicant invited our attention to Annexure A- 1 dated 11.07.2005 by which the claim of the applicant has been denied as he was not found fit in the recommendation of Screening Committee.

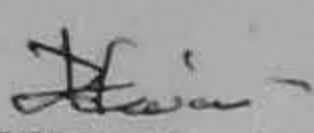
3. The main argument of the learned counsel for the applicant is that the applicant has not assigned any reason for not granting the aforesaid relief. Learned counsel further submitted that the applicant will be satisfied if some time is granted to him to file a fresh detailed representation to the competent authority in the department and a direction be issued to the competent authority for deciding the same by a reasoned and speaking order clearly specifying the reasons for not granting the benefit under ACP Scheme.

4. After hearing counsel for the applicant we are of the view that this O.A can be disposed of at the admission stage itself without calling for counter. In view of the above, the O.A is disposed of with direction to applicant to file a fresh and detailed representation to the competent authority within a period of

2

3

15 days from the date of communication of this order , which the competent authority shall consider and decide by a reasoned and speaking order under intimation to the applicant within two months from the date of receipt of such representation alongwith copy of this order. No costs.

  
MEMBER- A.

  
member-J.

/ANAND/