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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH**

Original Application No. 356 of 2003

Thursday, this the 18th day of February, 2010

Hon'ble Mr. A.K. Gaur, Member (J)
Hon'ble Mr. D.C. Lakha, Member (A)

Anil Kumar Bajpai, S/o Shri J.K. Bajpai, R/o Q. No. 235/10,
Babupurwa Labour Colony, Kidwai Nagar, KANPUR.

Applicant

By Advocate: Sri R. K. Shukla

Vs.

1. Union of India, Through the Secretary, Ministry of Defence,
Department of Defence Production, Govt. of India, New Delhi-
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2. The Addl. D.G.O.F., Ordnance Equipment Eys Group HQrs.,
'Ayudh Upaskar Bhawan', G.T. Road, Kanpur.
3. The General Manager, Ordnance Equipment Factory, KANPUR.

Respondents

By Advocate: Sri R.C. Shukla

ORDER

By Hon'ble A.K. Gaur, Member (J)

We have heard Sri R.K. Shukla, learned counsel for the
applicant and Sri R.C. Shukla, learned counsel for the respondents,
and perused the pleadings on record.

2. It is seen from the record that applicant was appointed on
01.04.1985 as Sewing Machine Mechanic (semi skilled). In the year
1998 the applicant was appointed on the post of Lower Division
Clerk. It is stated that the Government of India, in order to mitigate
the problem of genuine stagnation and hardships faced by the
employees due to lack of adequate promotional avenues, launched

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the Assured Career Progression Scheme w.e.f. 09.08.1999 making provisions to the effect that those employees who have completed 12 years of service in the grade and have not got promotion, may be given ACP Ist, and the second ACP has to be granted after completion of 24 years of service. In view of the aforesaid fact, the case of the applicant is that he was not granted the benefit of First ACP after completion of 12 years of service on 01.04.1999. It is submitted by learned counsel for the respondents that as the applicant was not found fit, he was extended Ist ACP in the year 2003. It is submitted by the applicant's counsel that benefit of Ist ACP was granted to him in the year 2003 solely on the reason that he preferred an O.A. No. 356 of 2003 on 26.03.2003. Learned counsel for the applicant stated that applicant is entitled for grant of Ist ACP w.e.f. 09.08.1999. Mr. R.K. Shukla submitted that applicant has not filed any detailed representation to the competent authority in this regard, and requested that he may be granted time to file fresh representation for grant of consequential benefits.

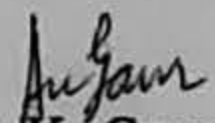
2. In view of the facts stated above and also the submission made by learned counsel for the applicant, we hereby direct the applicant to prefer a detailed and comprehensive representation ^{raisin} ~~with~~ his grievance before the respondent No. 3 within a period of two weeks from the date of receipt of a certified copy of this order, and if such a representation is received by the respondent No. 3 (General Manager, Ordnance Equipment Factory, Kanpur), he/she shall decide the same by a reasoned and speaking order within a period of three months from the date of receipt of representation along with a certified copy of this order. It is further directed that while deciding the representation, the respondent No. 3 shall also consider the grounds

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and facts stated in the O.A., copy of which be supplied by the applicant.

3. With the aforesaid directions, O.A. stands disposed of at the admission stage itself. No order as to costs.


(D.C. Lakha)
Member 'A'


(A.K. Gaur)
Member 'J'

/M.M/