

OA 629/03

संसद का प्रतिनिधि

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH**

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Monday, this the 11<sup>th</sup> day of May, 2009

**Hon'ble Mr. Justice A.K. Yog, Member (J)  
Hon'ble Mrs. Manjulika Gautam, Member (A)**

1. O.A. No. 621 of 2003

Mansoor Alam S/o Late Syed Abdul Waheed, Resident of 415, Shahganj, Allahabad.

**Applicant**

By Advocate: Sri H.S. Srivastava

Vs.

1. Union of India through the Secretary, Ministry of Defence (Finance), New Delhi.
2. The Controller General of Defence Accounts, West Block-V, R.K. Puram, New Delhi.
3. Principal Controller of Defence Accounts (Pensions) Draupadighat, Allahabad.

**Respondents**

By Advocate: Sri Vijay Kumar Pandey

**Connected with**

2. O.A. No. 629 of 2003

Vikramajit, S/o Late Kuber Nath, R/o 737/531, Krishna Nagar, Kydganj, Allahabad.

**Applicant**

By Advocate: Sri H.S. Srivastava

Vs.

1. Union of India through the Secretary, Ministry of Defence (Finance), New Delhi.
2. The Controller General of Defence Accounts, West Block-V, R.K. Puram, New Delhi.
3. Principal Controller of Defence Accounts, Central Command, Lucknow.

**Respondents**

By Advocate: Sri Ram Krishna Tiwari

3. O.A. No. 630 of 2003

Daya Ram Maurya S/o Late Ram Khelawan Maurya, R/o 1443, Kidwai Nagar, Allahpur, Allahabad.

**Applicant**

By Advocate: Sri H.S. Srivastava

Vs.

*[Signature]*

Union of India through the Secretary, Ministry of Defence (Finance), New Delhi.

2. The Controller General of Defence Accounts, West Block-V, R.K. Puram, New Delhi.
3. Principal Controller of Defence Accounts, Central Command, Lucknow.

**Respondents**

By Advocate: Sri Ram Krishna Tiwari

4. O.A. No. 681 of 2003

Ramesh Chandra Mishra S/o Late Rishi Bhajan Mishra, R/o 272 A-1, Mumfordganj, Opposite Parsi Cemetery, Allahabad.

**Applicant**

By Advocate: Sri H.S. Srivastava

vs.

1. Union of India through the Secretary, Ministry of Defence (Finance), New Delhi.
2. The Controller General of Defence Accounts, West Block-V, R.K. Puram, New Delhi.
3. Principal Controller of Defence Accounts, Central Command, Lucknow.

**Respondents**

By Advocate: Sri Ram Krishna Tiwari

**O R D E R**

**Delivered by Justice A.K. Yog, Member-Judicial**

Heard Sri H.S. Srivastava, Advocate/Counsel for the applicant in all the O.As and learned counsel for the respondents (indicated above)

2. Above noted four Original Applications are taken up for hearing and decided together as prayed and agreed by the learned counsel for the respective parties on the ground that all the cases raise identical issues based on similar facts.
3. In the present Original Applications, the applicants claim benefit of Assured Career Progression Scheme relating to the year 1999-2000. The applicants had raised their grievance and were informed by the department vide letter dated 11.09.2002 (annexure-7 to the leading O.A. No. 621/2003 of Mansoor Alam vs. Union of India and others) that "all the Auditors of DAD, who became Selection Grade Auditors, on or after 01.08.1976, were not given

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benefits of fixation of pay under Section 22 (C) F.R./S.R., as the said provisions were withdrawn w.e.f. above date vide Govt. letter dated 01.01.1980." It is further stated that the case is subjudice and would be dealt with as per direction of the Court of Law in future.

4. Learned counsel for the applicants has made statement before us that all the applicants have retired and are no more in active service. We are also informed that another A.C.P. Scheme has been initiated by the Government of India.

5. In view of the above, relief claimed through aforesaid Original Applications has been rendered infructuous as no effective relief can be granted to the applicants now. If these Original Applications are allowed, applicants cannot be brought back in service. Apparently, clock cannot set back.

6. In view of the above, as relief sought by the applicants has been rendered infructuous. All the four Original Applications stand dismissed. No order as to costs.

7. Copy of this order be placed in the record/files of all connected Original Applications as required under Rule 113 of C.A.T. Rules of Practice, 1993.

*SG*  
*AM* **CERTIFIED TRUE COPY**  
Jated 25.5.09.....

अनुभाग अधिकारी  
Section Officer  
केन्द्रीय प्रशासनक अधिकारी, लाहौदार  
Central Administrative Tribunal  
Allahabad Bench Allahabad

*12/5*