



FORM No. 4

See Rule (12)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**CUTTACK BENCH**

**ORDER SHEET**

Application No. O.A. 949 of 2005

Applicant (s) Sri Nalinikanta Sethy Respondent (s) Union of India & Others

Advocate for Applicant (s) Mr. D.K. Mohanty Advocate for Respondent (s) \_\_\_\_\_

**NOTES OF THE REGISTRY**

**ORDERS OF THE TRIBUNAL**

I.P.O. of Rs. 50/- filed.  
Copy served.  
Defects pointed out  
in scrutiny may kindly  
be seen.  
However petitioner's  
advocate files a memo  
of undertaking to  
remove defects within  
a week.  
For favour of  
Registration please see per  
memo.

REGISTER

15/12/05  
Registrar

Order dated 16.12.05

Non-consideration of the temporary period of service <sup>for</sup> conferment of ACP benefit on the Applicant is the subject matter of grievance raised in this O.A. under section 19 of the AT Act, 1985.

A copy of this O.A. has already been served on Mr. U.B. Mohapatra, Id. Sr. Standing Counsel for the Union of India.

Law is well settled that the entire period of service rendered in the temporary establishment cannot just be wiped out while computing the period for grant of ACP benefits. In the present case, the regularisation of the services of the Applicant

15.12.05

S.O. (J)  
17/12/05

15.12.05

Registrar

17/12/05

J

## Notes of the Registry

For Admission  
Copy served

Bench.

15-12-05

Copy of Order with  
original application may  
be sent to all respondents  
by Regd-post / A.D.

R  
20-12-05

S.O. (J)

## Orders of the Tribunal

was antedated to the original date of temporary engagement in pursuance to an order dtd. 21.1.1998 of this Hon'ble Tribunal rendered in O.A. No. 158/95.

That being the position, there <sup>are</sup> no reason for the Respondents not to compute the entire period of service (temporary period of service + regular period of service) for computation of the period for the grant of ACP benefit.

In the aforesaid premises, having heard Mr. D.K. Mohanty, Id. Counsel for the Applicant and Mr. U.B. Mohapatra, Id. Sr. Standing Counsel appearing for the Respondent Department and on perusal of the materials placed on record, this O.A. is hereby disposed of with a direction to the Respondents to compute the entire period of temporary and regular service of the Applicant for grant of ACP benefits.

With the aforesaid observation and direction this O.A. is disposed of.

Send copies of this order to the Respondents, along with copies of the O.A., and free copies of this order be supplied to the Counsel appearing for both the parties.

Member (J)