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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 427 OF 2010
CUTTACK, THIS THE 12th DAY OF August, 2010

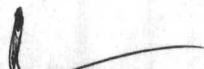
Mamata Patnaik & another.....Applicant


Vrs.

Union of India & OrsRespondents

FOR INSTRUCTIONS

1. Whether it be referred to the Reporters or not ?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ?


(C.R. MOHAPATRA)
MEMBER (ADMN.)


(G. SHANTHAPPA)
MEMBER (JUDL.)

**CENTRAL ADMINISTRATIVE TRIBUNAL
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CORAM :

HON'BLE MR. G. SHANTHAPPA, MEMBER(JUDL.)

&

HON'BLE MR. C.R. MOHAPATRA, MEMBER(ADMN.)

.....

1. Smt. Mamata Pattnaik, aged about 51 years, W/o. Nursingh Ch. Pattanaik, working as Civilian Educational Instructor.
2. Shri Nursingha Ch. Pattanaik, aged about 56 years, S/o. Late Brajakishore Pattaniak, at present working as Civilian Education Officer, both are working in the office of the Education Department, I.N.S. Chilka, PO: Naval Base Chilka, Dist; Khurda, Orissa-752037.

.....Applicants

Advocate(s) for the Applicants- M/s. S.R.Nayak, M.K.Panda.

VERSUS

1. Union of India, represented by the Secretary to the Govt. of India, Ministry of Defence, R.K.Puram, Delhi-110011.
2. The Chief of Naval Staff, Naval Head Quarters, D.C.P., Sena Bhawan, Room No.-100, D-11 WING, New Delhi- 110011.
3. Flag Officer Commanding-in-Chief, Eastern Naval Command, Visakhapatnam, Mukhyalaya, Poorv Nausena Kaman, Nausena Base, Dist.- Visakhapatnam.
4. Commanding Officer, I.N.S. Chilka, P.O: Naval Base, Dist Khurda.

..... Respondents

Advocate for the Respondents – Mr. G.Singh.

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ORDER

HON'BLE SHRI G. SHANTHAPPA, MEMBER (J) :

We have heard Mr. S.R.Nayak, Ld. Counsel for the applicants.

2. Mr. G.Singh, Ld. Addl. Standing Counsel is directed to take notice for the Respondents. Accordingly, he accepts.

3. M.A. 464/10, filed by the two applicants to prosecute this case jointly, is allowed and, accordingly, disposed of.


4. The applicants have filed this O.A. under section 19 of the Administrative Tribunals Act seeking the relief of ACP from the date of their regularization. Their respective representations dated 22.06.2009 are produced at Annexures-A/2 and A/3. When those representations are pending, they have approached this Tribunal for the grant of reliefs based on the Judgment of the Ernakulam Bench of this Tribunal in O.A. No. 23/05 dated 10.10.2006.

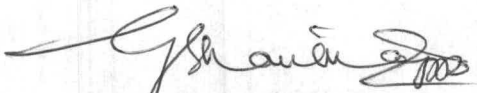
5. Without going into the merits of the case, we direct the Respondents, the Competent Authority, to take a decision on the representation of the applicants for grant of ACP and pass a considered and reasonable order in accordance with Rules and ACP Scheme within three months from the date of



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receipt of a copy of this order. They have to also consider whether the said judgment is applicable to the case of the applicant.

6. With the above observation and direction, the O.A. is disposed of. No costs.


(C.R. MOHAPATRA)
MEMBER (ADMN.)


(G. SHANTHAPPA)
MEMBER (JUDL.)

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