

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 54 of 2010

Monday, this the 18th day of October, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

Mrs. Saramma Varghese,
W/o. Mr. I.M. Varghese,
Trained Graduate Teacher (Retired),
Rashtriya Sarvodaya
Kanya Vidyalay Block No. 27,
Trilokpuri, New Delhi,
110091, Residing Madathil,
TC 13/312/14, EMS Nagar,
Pattoor, Vanchiyoar P.O.,
Thiruvananthapuram.

.....

Applicant

(By Advocate – Mr. S. Radhakrishnan)

V e r s u s

1. Union of India, represented by the Secretary,
Govt. of India, Department of Education,
New Delhi.
2. Director of Education, Directorate of Education,
New Delhi.
3. Deputy Director of Education, Directorate of Education,
New Delhi.
4. Principal, Rashtriya, Sarvodaya Kanya Vidyalay,
Block No. 27, Trilokpuri,
New Delhi 110091.

.....

Respondents

(By Advocate – Mr. M.V.S. Nampoothiry, ACGSC)

This application having been heard on 18.10.2010, the Tribunal on the same day delivered the following:



ORDER

By Hon'ble Mr. Justice K. Thankappan, Judicial Member -

The applicant filed this Original Application for getting her 2nd ACP, though she retired way back on 29.2.2004. The matter has been already admitted by this Tribunal and notices ordered to the respondents. The respondents now filed a reply statement in which it is stated as follows:-

“On the basis of existing service particulars, the instant ACP case has been re-examined in light of above decision of the Department and it is observed that due date of 2nd ACP to Smt. Saramma Varghese falls on 9.8.1999 (i.e. during intervening period from 26.2.1996 to 4.11.1999) as such this matter is apparently on parity with the matter of Shri Balwant Singh & Ors. already implemented by the Department.

On the basis of above averments, it may be concluded that Smt. Saramma Varghese, retired TGT (Sc) who possess PG degree in MA (Hindi) should be awarded benefits of 2nd ACP w.e.f. 9.8.1999 subject to the recommendations of the Departmental Screening Committee.

The Department has agreed to place the case of Smt. Saramma Varghese before the next Departmental Screening Committee for grant of 2nd ACP w.e.f. 9.8.1999.”

2. Reading of the above would show that the Department has already recommended the case of the applicant and the matter is being referred to the Departmental Screening Committee. If the recommendations made by the Department is accepted and the point that the applicant is entitled for the 2nd ACP in par with Mr. Balwant Singh & Ors., it is only proper for this Tribunal to dispose of this Original Application by directing the respondents Nos. 2 to 4 to consider the case of the applicant in the light of the reply statement filed by them and shall pass appropriate orders within a reasonable time.

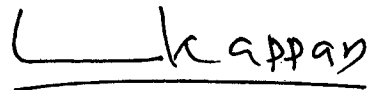
3. Accordingly, the Original Application is disposed of by directing the



respondents Nos. 2 to 4 to pass appropriate orders in the case of the applicant, with arrears, if any, in a reasonable time at any rate within sixty days from the date of receipt of a copy of this order. There shall be no order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER

"SA"