

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.599/2001

Thursday this the 28th day of February, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.Jose Antony S/o K.O.Antony,
Mechanical Transport Driver,
Naval Phsical & Oceanographic Lab,
Thrikkakara PO, Kochi.21
residing at Type II, No.11
NPOL Quarters, Kochi.21.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

v.

1. Union of India, represented by
the Secretary to the Govt.of India,
Ministry of Defence, New Delhi.
2. The Director,
Naval Physical & Oceanographic Lab,
Kochi.21.
3. Administrative Officer,
Naval Physical and Oceaonographic Lab,
Kochi.21.

...Respondents

(By Advocate Mr. C.Rajendran, SCGSC)

The application having been heard on 28.2.2002, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

Applicant, a Mechanical Transport Driver, Naval Physical Oceanographic Laboratory, Kochi was granted the first financial upgradation under the Assured Career Progression Scheme (ACP Scheme for short) by order dated 18.1.2000 with effect from 9.8.99 with financial benefits from 13.1.2000. However, by the impugned order Annexure.A1 dated 24.7.2000 the order granting financial upgradation was cancelled. Aggrieved the applicant has filed this application seeking to set aside Annexure.A1 declaring that he is entitled to be granted the benefit of first financial upgradation with effect from 9.8.99 in

contd...

.2.

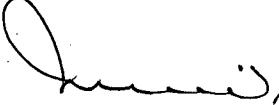
terms of Annexure.A2 and for a direction to grant consequential benefits including arrears.

2. The respondents in their reply statement stated that by order dated 2.1.2002 the applicant has been granted the first financial upgradation with effect from 9.8.99 with financial benefits with effect from 13.1.2000 and that applicant's grievance no more survives.

3. We find that by issuance of Annexure.R1 order dated 2.1.2002 the applicant's grievance of cancellation of the financial upgradation given to him by Annexure.A1 has been redressed. What remains is payment of the monetary benefits flowing from Annexure.R1 order. The application is hence disposed of as agreed to by the learned counsel on either side with a direction to the respondents to make available to the applicant financial benefits flowing out of Annexure.R1 order as expeditiously as possible at any rate not later than two months from the date of receipt of a copy of this order.

There is no order as to costs.

Dated the 28th day of February, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

APPENDIX

Applicant's Annexures:

1. A-1: True copy of the order No.NPOL/EST/118(KJA) dt.24.7.00 issued on behalf of the 2nd respondent.
2. A-2: True copy of the OM No.35034/1/97-Estt(D) dt.9.8.99 of the Department of Personnel & Trg.
3. A-3: True copy of the order No.NPOL/A/EST/140/ACP dated 18.1.00 issued from the office of the 2nd respondent.
4. A-4: True copy of the representation dt.23.3.2000 submitted by the applicant to the 2nd respondent.
5. A-5: True copy of the order in OA 650/2000 dt.21.9.2000 of this Hon'ble Tribunal.

Respondents' Annexure:

1. R-1: True copy of the order of the 2nd respondent No.NPOL/A/ESTT/142/ACP dt.21.1.02.

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4.3.02