

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.105/10

Tuesday this the 23rd day of November 2010

C O R A M :

HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

V.P.Mohanan,
S/o.Padmanabhan,
Fire Engine Driver Gr.I,
Fire Station, INS Venduruthy,
Southern Naval Command, Cochin – 682 004.
Residing at Vadakkeathirakandathil, Thekkumbhagom,
Tripunithura, Cochin – 682 301, Ernakulam District.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

V e r s u s

1. Union of India represented by the
Secretary to the Government of India,
Ministry of Defence, South Block,
New Delhi – 110 011.
2. The Flag Officer Commanding in Chief,
Headquarters Southern Naval Command,
Naval Base, Cochin – 682 004.
3. The Commanding Officer,
INS Venduruthy, Southern Naval Command,
Cochin – 682 004.

...Respondents

(By Advocate Mr.Sunil Jacob Jose, SCGSC)

This application having been heard on 23rd November 2010 this Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

This Original Application has been filed by the applicant for the benefit of 2nd financial upgradation as per Annexure A-3 ACP Scheme with effect from 3.5.07 in the pay scale of Rs.4000-6000 with all consequential benefits including arrears of pay and allowances arising thereof.



.2.

2. The respondents in paragraph No.5 of their reply statement has stated as follows :-

"5. It is further humbly submitted that, in the light of Annexure R-1 order, the Fire Fighting Cadre is to be restructured and promotions, ACPs/MACPs granted etc, are to be reviewed. The respondents have directed the concerned units to forward the relevant particulars of all the Fire Fighting Staff to effect the restructuring in terms of Annexure R-1 order, for which a minimum of 03 months time is required. On restructuring, the status of all the affected Fire Fighting Staff will undergo certain changes/revision and after getting the overall status, the applicants case could be considered for the benefits as per his eligibility."

3. It is seen that the respondents have taken action for restructuring the cadre and for considering the ACPs/MACPs based on the restructuring. It may be possible that the applicant's case will be considered favourably by the respondents.

4. In view of this possibility without prejudice to the right of the applicant to approach this Tribunal if he has any grievance against the decision taken by the respondents and leaving open all the issues, this Original Application is disposed of with a direction to the respondents to decide the matter within a period of four months from the date of receipt of a copy of this order. No costs.

(Dated this the 23rd day of November 2010)



K. GEORGE JOSEPH
ADMINISTRATIVE MEMBER

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