

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 113 of 2005


Monday, this the 28th day of March, 2005

CORAM

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. V.V. Susannamma,
Stenographer Gr.II,
Naval Base, Kochi-4
 2. V.K. Pazhanimala,
Stenographer Gr.II,
INS, Venduruthy,
Naval Base, Kochi-4
 3. K.P. Alphonsa,
Stenographer Gr.II,
NIETT, Naval Base, Kochi-4
 4. Ammini Kuriakose,
Stenographer Gr.II,
Naval Aircraft Yard, Kochi-4
 5. Pauly George,
Stenographer Gr.II,
Naval Base, Kochi-4
 6. M.J. Visweswari,
Stenographer Gr.II,
Naval Base, Kochi-4
 7. K.N. Ambikakumari,
Stenographer Gr.II,
Air Office, INS Garuda,
Naval Base, Kochi-4
 8. K.K. Hariharan,
Stenographer Gr.II,
Naval Base, Kochi-4
- Applicants

[By Advocate Shri Harisharma M]



Versus

1. The Union of India represented by
The Secretary to the Government of India,
Ministry of Defence, New Delhi.
2. The Chief of Naval Staff,
Naval Head Quarters,
New Delhi.
3. The Flag Officer Commanding in Chief,
Southern Naval Command,
Kochi-4
4. The Senior Staff Officer (CP-I),
HQ, Southern Naval Command,
Kochi-4

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Respondents

[By Advocate Shri T.P.M. Ibrahim Khan, SCGSC]

The application having been heard on 28-3-2005, the
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The Original Application has been filed by the applicants praying for a declaration that they are entitled to get the benefits under the ACP Scheme from the initial date of appointment on casual basis. In view of the non-granting of such benefits, the applicants have filed this Original Application with the prayer for counting their total period of service and quashing the impugned orders. The reliefs sought in this Original Application are as follows:-

“(i) Declare that applicants are entitled to get the benefits under the ACP scheme, from the initial date of appointment on casual basis, taking into account their service on casual basis also, for counting the total period of service.



(ii) *Call for the records leading to issuance of Ann. A3 – 10 and quash the same, to the extent they refuse the benefit to the applicants from the initial date of appointment on casual basis.*

(iii) *Direct the respondents to pay arrears along with interest @ 12% from the actual date of entitlement, till the date of payment."*

2. Shri M. Harisharma, learned counsel appeared for the applicants and Shri T.P.M. Ibrahim Khan, learned SCGSC appeared for the respondents.

3. When the matter came up for hearing, learned counsel for the respondents filed a statement contending that in similar cases, i.e. OA No.198/2004, OA No.203/2004, OA No.390/2004 and OA No.674/2004, this Tribunal was pleased to deal with identical issues and granted the reliefs and in view of the said decisions the respondents do not propose to contest this matter. However, the learned counsel submitted that the respondents may be granted six months' time for considering the applicant's case and that there is no objection in granting the reliefs as sought in this Original Application.

4. In the light of the submissions made by the learned counsel, we allow the Original Application and direct the respondents to pay the arrears to the applicant within a period of three months from the date of receipt of a copy of this order. In the circumstances, no order as to costs.

Monday, this the 28th day of March, 2005



H.P. DAS
ADMINISTRATIVE MEMBER

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K.V. SACHIDANANDAN
JUDICIAL MEMBER