

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.117/04

Monday this the 16th day of February 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

A.K.Somanathan,  
S/o.K.Kumaran,  
Asssitant Engineer (M),  
Department of Light Houses & Light Ships  
(Ministry of Shipping), Deep Bhawan,  
Gandhi Nagar, Kochi - 20.

Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by  
the Secretary to the Govt. of India,  
Ministry of Shipping, New Delhi.
2. The Director General,  
Department of Light Houses & Light Ships,  
Deep Bhawan, A-13 Sector-24, Noida,  
Gouthambudh Nagar District, U.P.
3. The Director (Regional),  
Department of Light Houses & Light Ships,  
Ministry of Shipping, Deep Bhawan,  
Gandhi Nagar, Kochi - 20.

Respondents

(By Advocate Mr.K.Shri Hari Rao,ACGSC)

This application having been heard on 16th February 2004  
the Tribunal on the same day delivered the following:

O R D E R

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

The applicant is aggrieved that he has not been granted the deserving upgradation in the scale of pay under the Assured Career Progression Scheme (ACPS in short). His representations in that regard Annexure A-2 and Annexure A-3 addressed to the 2nd respondent remained unanswered. Under these circumstances the applicant has filed this application for a declaration that the non-feasance on the part of the respondents to grant the applicant the benefit of financial upgradation under the ACP

Scheme is unjustified and for a direction to the respondents to grant the applicant the benefit of the 1st financial upgradation in scale Rs.6500-10500/- and the 2nd financial upgradation in scale Rs.10000-15200/-.

2. When the application came up for hearing Shri.K.Shri Hari Rao,ACGSC took notice on behalf of the respondents. Learned counsel on either side agree that the application may be disposed of at the admission stage itself directing the 2nd respondent to consider Annexure A-3 representation dated 4.12.03 and to give the applicant an appropriate reply within a reasonable time.

3. In the light of what is stated above and as agreed to by the counsel on either side the application is disposed of at the admission stage without going into the merits of the case directing the 2nd respondent to consider Annexure A-3 representation of the applicant and to give him an appropriate reply within a period of two months from the date of receipt of a copy of this order. No costs.

(Dated the 16th day of February 2004)

12.6.20  
H.P.DAS  
ADMINISTRATIVE MEMBER

  
A.V.HARIDASAN  
VICE CHAIRMAN

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