

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA.**

O.A. No. 630 of 2005

Date of order : September 22, 2005

C O R A M

Hon'ble Shri Mantreshwar Jha, Member (A)
Hon'ble Ms. Sadhna Srivastava, Member (J)

H.C. Choudhary and 12 others
Vs.
Union of India and ors.

Counsel for the applicant : Shri M.P. Dixit
Counsel for the respondents : Shri M.K. Mishra, Sr. S. Counsel

O R D E R (Oral)

By M. Jha, Member (A):-


There are in all 13 applicants who have filed this Original Application. Since they have all asked for a common relief regarding grant of benefits of second ACP, the prayer has been made to allow them to jointly pursue their case. The prayer is allowed.


2. During the course of arguments, the learned counsel for the applicant submits that as per instructions at Annexure A/1, issued by the Ministry of Personnel, Public Grievances and Pension dated 9.8.1999, the applicants are entitled to the second ACP, after completion of 24 years of service. It is submitted that the applicants have already been granted the first ACP vide Annexure A/2 and A/3 in the year 1999. However, their claim for grant of second ACP has not been considered in spite of several

representations filed by them at Annexure A/5 series. It is submitted by the learned counsel for the applicant that the purpose will be served if the concerned respondent is directed to dispose of the pending representations filed by the applicants in this regard within a specified period.

3. Shri M.K. Mishra, the learned Senior Standing Counsel appearing on behalf of the Union of India has no objection if such direction is issued to the respondents to dispose of the pending representations.

4. After hearing both the parties, we are satisfied that this OA can be disposed of at this stage of admission itself by issuing appropriate direction to the respondents. Accordingly, respondent No. 2 is hereby directed to dispose of the pending representation of the applicants, treating the OA also as representation, within a period of three months from the date of receipt of copy of this order along with copy of the OA. It is, however, made clear that while disposing of this OA, we have not expressed any opinion on the merits of the case. The OA stands disposed of accordingly, with no order as to costs.


(S. Srivastava) M (J)


(M. Jha) M (A)

/cbs/