

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

ORIGINAL APPLICATION NO: 406/99

DATE OF DECISION: 7/2/2000

Shri G.M.Meshram Applicant.

Shri A.I.Bhatkar

-----Advocate for  
Applicant.

Versus

Union of India & 4 Ors.

-----Respondents.

Shri V.S.Masurkar

-----Advocate for  
Respondents.

CORAM:

Hon'ble Shri D.S.Baweja, Member(A).  
Hon'ble Shri S.L.Jain, Member(J).

1. To be referred to the Reporter or not? *f*
2. Whether it needs to be circulated to *h*  
other Benches of the Tribunal?
3. Library *X*

*D.S. Baweja*  
(D.S.BAWEJA)  
MEMBER(A)

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
ORIGINAL APPLICATION NO:406/99  
DATED THE 7TH DAY OF FEBRUARY,2000.

CORAM:HON'BLE SHRI D.S.BAWEJA, MEMBER(A)  
HON'BLE SHRI S.L.JAIN, MEMBER(J)

Shri G.M.Meshram,  
C/o.A.I.Bhatkar, Advocate,  
4/13, Muhammed Hussain Chawl,  
Opp.Antop Hill Post Office,  
Shaikh Mistry Road,  
Antop Hill, Wadala(E),  
Mumbai - 400 037. ... Applicant.

By Advocate Shri A.I.Bhatkar.

V/s.

1. Union of India through  
The Secretary,  
Ministry of Defence,  
DHQ PO New Delhi-110 011.
2. The Secretary,  
Government of India,  
Ministry of Personnel,  
P.G. & Pension  
(Deptt of Personnel & Training),  
New Delhi-110 011.
3. The Chief of the Naval Staff,  
Naval Headquarters,  
New Delhi-110 011.
4. The Flag Officer Commanding-in-Chief,  
[ Headquarters Western Naval Command,  
SB Singh Road, Mumbai - 400 001.
5. The Admiral Superintendent,  
Naval Dockyard Lion Gate,  
Mumbai - 400 023. ... Respondents

By Advocate Shri V.S.Masurkar

(ORDER) (ORAL)

Per Shri D.S.Baweja, Member(A)

The applicant is at present working as  
Labour Inspector in an isolated post with no  
promotion prospects. The present OA has been filed  
on 28/4/99 seeking the relief of directing the

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respondents to grant higher payscale/promotional prospects.

2. The Respondents have filed a written statement.

3. Heard Shri A.I.Bhatkar and Shri V.S.Masurkar, learned counsels for Applicant and Respondents.

4. The respondents in the written statement in para-7 have brought out that Ministry of Defence has issued a letter dated 12/8/99 for implementation of the ACP scheme. The ACP scheme envisages grant of two promotion in respect of those employees who have not received any promotions in their entire service/career. The respondents have further added that necessary action to implement the scheme including the category of the applicant is under process. The Respondents have also brought out on the record a copy of letter dated 30/10/99 from the applicant wherein he has stated that he wants to withdraw the OA in view of the action being taken by the Government to implement the recommendations of Vth Pay Commission's Report.

5. The learned counsel for applicant confirms the desire of the applicant to withdraw the OA in view of the action being taken by respondents. However, he prays that some time limit should be laid down for implementation of the scheme in the case of the applicant.

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6. In view of the above, the OA is disposed of with direction to respondents, the ACP scheme be implemented for the category of Applicant within a period of six months from the date of receipt of copy of this order. No orders as to costs.

*S.L. Jain*  
(S.L.JAIN)  
MEMBER(J)

*D.S. Baweja*  
(D.S. BAWEJA)  
MEMBER(A)

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

C.P. NO.: 24/2001 IN O.A. No. 406/99.

Dated this Tuesday, the 21st day of August, 2001.

CORAM : Hon'ble Shri B. N. Bahadur, Member (A).  
Hon'ble Shri S. L. Jain, Member (J).

G. M. Meshram ... Petitioner.  
(By Advocate Shri A. I. Bhatkar)

VERSUS

Union of India & Others

AND

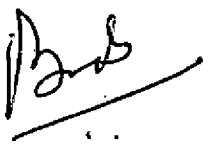
1. VADM.V. PASRICHA, PVSM, AVSM, NM  
The Flag Officer,  
Commanding-In-Chief (HQ),  
Western Naval Command,  
S.B. Singh Marg,  
Mumbai - 400 001.
2. RADM P. JAITLEY, AVSM, VSM,  
The Admiral Superintendent,  
Naval Dockyard, Lion Gate,  
Mumbai - 400 023. ... Respondents.

(By Advocate Shri V. S. Masurkar)

TRIBUNAL'S ORDER

We have before us for consideration C.P. No. 24/2001 arising out of orders made in O.A. No. 406/99. Respondents had issued orders dated 07.03.2000 i.e. very soon after the orders were made in the O.A. However, its implementation had been delayed. This is explained to us by Shri A.I. Bhatkar, Learned

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Counsel for original Applicant, who assisted us today. We have also heard the Learned Counsel for original Respondents, and have perused the written reply filed by the RADM P. Jaitly, Admiral Superintendent, Naval Dockyard, Lion Gate, Mumbai.

2. The short position is that, although the orders were made soon after judgement, their implementation was delayed. It is explained in the Written Statement and again reiterated by the Learned Counsel for Respondents that the implementation took time because reference had to be made to the Headquarters in New Delhi, and also clearance had to be obtained from other agencies. The correspondence thus took a very long time. Thus, while we note that the matter has been delayed for compliance, we do not see any intention or desire for wilful disobedience and hence discharge the contempt notice issued and reject the contempt petition. No costs.

*P. L. Jain*  
(S. L. JAIN)  
MEMBER (J).

*B. N. Bahadur*  
(B. N. BAHADUR)  
MEMBER (A).

OS\*

*dt 21/8/01*  
order is attached  
to Applicant respondent (s)  
on 10/9/01

*h*