

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

O.A.Nos.688/2000, 302/2001, 303/2001 and 304/2001

Dated this Friday the 31st August, 2001.

Coram : Hon'ble Shri Justice Birendra Dikshit, Vice Chairman
Hon'ble Shri G.C. Srivastava, Member (A)

1. Mr.V.D. Mohite
2. Mr.P.D. Dalvi
3. Mrs.A.D. Todankar
4. Mrs.J.A. Vyas
5. Mrs.B.H. Karla
6. Mrs.N.S. Sawnt
7. Mrs.K.R. Chavan
8. Mr.G.S. Pawaskar
9. Miss A.S. Das
10. Mrs.S.P. Pendse
11. Mrs.R.C. Hegde
12. Mrs.A.D. Kudel
13. Mrs.L.A. Gamre
14. Mr.S.R. Lad
15. Mrs.U.R. Mane
16. Mrs.N.N. Mandavale
17. Mr.R.K. Anabhavane
18. Mrs.P.J. Pereira
19. Mr.N.D. Potdar
20. Mrs.L.L. Sawal,
21. Mrs.Y.Y. Sopekar
22. Mrs.U.S. Kanvinde
23. Mr.P.B. Narkar
24. Mr.T.Samudrapandi
25. Mr.Ravi S. Salian
26. Mr.H.R. Mahtre
27. Mrs.S.A. Mulye
28. Mr.N.M. Kadam
29. Mr.S.G. Sawant
30. Mrs.S.S. Yeole
31. Mr.A.R. Pednekar
32. Mr.A.V. Madhekar
33. Mrs.M.M. Joshi
34. Miss N.T. Doondani
35. Mr.S.T. Gawli
36. Mrs.S.V. Mulye
37. Mrs.S.A. Banerjee
38. Mr.A.M.J. Shaikh
39. Mr.V.P. Devkar
40. Mrs.S.S. Naik
41. Mr.M.M. Shinde
42. Mr.R.D. Chonde
43. Mrs.A.S. Dhas
44. Mr.M.H. Mohite
45. Mr.S.R. Bhosale
46. Mr.V.S. Mate
47. Mr.H.C. Dhoble
48. Mrs.S.V. Ghag

49. Mrs.I.M.S. Shaikh
 50. S.G. Tikam
 51. Mr.V.D. Chavan
 52. Mr.V.G. Moparekar
 53. Mr.D.V. Shirodkar
 54. Mr.P.V. Sawant
 55. Mrs.C.P. Kangutkar
 56. Mrs. Gharat
 57. Mr.D.G. Kadam
 58. Mr.A.V. Khandare
 59. Mrs.P.P. Nagwekar
 60. Mr.P.B. Tejam
 61. Mrs.A.C. Kawle
 62. Mrs.A.H. Ranadive
 63. Mrs.S.V. Thakur
 64. Mrs.K.A. Halaki
 65. Mr.V.M. Rane
 66. Mr.M.B. Mulik
 67. Mr.S.S. Sawant
 68. Mr.K.V. Jadhav
 69. Mrs.S.D. Pai
 70. Mrs.L.R.Otawanekar
 71. Mr.D.D. Warang
 72. Mr.R.K. Sawant
 73. Mr.S.M. Kanetkar
 74. Mr.A.B. Phadke
 75. Mrs.D.D. Naik
 76. Mr.V.M. Gothankar
 77. Mrs.S.S. Salvi
 78. Mr.M.Y. Panwalkar
 79. Mrs.W.A. Mathos
 80. Mr.S.R. Pathak
 81. Mr.U.G. Dumbre
 82. Mrs.S.E. D'Souza
- Notice to be served through
Shri A.I. Bhatkar, Advocate.

.. Applicants in
OA 688/2000.

1. Mrs.PG. Krishnan, Steno II
 2. Mr.OG Nair, Steno II
 3. Mrs.S.R. Shetty, Steno III
 4. Mrs.S.S. Breed, Steno III
 5. Mr.V.D. Lohidasan, Steno II
 6. Mrs.C.R. Fernandes, Steno
 7. Mr.Ravindra S. Shetty, Steno,
- Notice to be served through
Shri A.I. Bhatkar, Advocate.

.. Applicants in
OA 302/2001.

1. Mr.V.G. Salunkhe
2. Mr.S.P. Sawant
3. Mrs.M.S. Gawade
4. Miss R.G. Pathak
5. Mr.A.R. Jaiswal
6. Mr.N.G. Mhaske
7. Mr.P.Y. Warantkar
8. Mrs.S.D. Naik
9. Mr.M.N. Katarkar
10. Mr.A.B. Bhosle
11. Mrs.S.W. Malendkar
12. Mrs.A.S. Joshi

13. Mr.A.A. Halde
14. Mr.S.R. Sawant
15. Mr.S.V. Amberkar
16. Mrs.S.A. Ghangrekar
17. Mrs.S.M. Dalvi
18. Mrs.P.P. Bhagat
19. Mrs.S.P. Bane
20. Mr.S.D. Kher
21. Mr.D.R. Sarang
22. Mrs.S.D. Gaikar
23. Mr.M.K. Pitale
24. Mr.S.S. Kadam
25. Mrs.J.W. Pereira
26. Miss Shobha R. Nankar
27. Mrs.N.S. Chavan
28. Mrs.S.S. Gomes
29. Mrs.S. Dias
30. Mrs.V.V. Dare
31. Mrs.A.S. Rane
32. Mrs.B.V. Suvarna
33. Mrs.M.S. Satghare
34. Mrs.G.G. Rawool
35. Mr.M.G. Chavan
36. Mr.K.S. More
37. Mrs.Koregaonkar
38. Mrs.M.D. Raje
39. Mr.H.D. Meher
40. Mrs.R.A. Tankal
41. Mr.N.R. Lavekar
42. Mrs.A.S. Takle
43. Mrs.V.A. Desai
44. Mrs.ZMT Shaikh
45. Mr.C.G. Chavan
46. Mr.B.B. Kadam
47. Mrs.K.C. Joshi
48. Mrs.L.S. Pawar
49. Mr.D.K. Shirke,

Notice to be served through
Shri A.I. Bhatkar, Advocate

.. Applicants in
O.A.303/2001.

1. Mrs.D.D. Kanvinde
2. Mr.G.M. Pednekar
3. Mr.G.S. Tambe
4. Mrs.S.S. Ketkar
5. Mr.A.F. Figer
6. Mrs.N.M. Shertukde
7. Mrs.S.U. Dalvi
8. Mr.H.V. Karnik
9. Mr.M.C. Lala
10. Mr.M.B. Solanki
11. Mr.P. Verghese
12. Mr.G.T. Zagade
13. Mr.S.P. Dhuri

Notice to be served through
Shri A.I. Bhatkar, Advocate

.. Applicants in
O.A.304/2001.

[Applicants by Shri A.I. Bhatkar, Advocate]

Vs.

1. Union of India, through
The Secretary, Ministry of
Defence, South Block,
New Delhi - 110 011.
2. The Chief of the Naval Staff,
Naval Headquarters, DHQ PO,
New Delhi - 110 011.
3. The Flag Officer Commanding-in-Chief,
Headquarters Western Naval Command,
S.B. Singh Marg,
Mumbai - 400 001.

.. Respondents in
OA 688/2000,
OA 302/2001,
OA 303/2001 &
OA 304/2001.

[Respondents by Shri V.S. Masurkar, Advodate].

O R D E R (Oral)

[Per : Shri G.C. Srivastava, Member (A)]

Applicants in these O.A.'s seeking directions to grant the financial upgradation under Assured Career Progression scheme to the applicants on the basis of their regular service from the date of their initial appointments alongwith all consequential benefits. The applicants in their applications have mentioned that earlier O.A.306/88 had been filed in this Tribunal which was disposed of 21.6.1991 with directions to the Respondents to give all benefits due to the applicants as per Ministry of Defence letter dated 24.11.1967 as amended by corrigendum dated 27.5.1980 from the dates on which the applicants were initially appointed on casual basis by ignoring the artificial or technical breaks in their services. The Tribunal had further directed to fix the seniority of the applicants in the respective grade on which they are absorbed in the service. The main grievance of the applicants in the present applications is that the benefits of Assured Career

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Progression Scheme have not been extended to them taking into account the service from the date of their initial appointment on casual basis despite the fact the Tribunal has issued directions to treat the entire period as regular service and the Respondents have in compliance with the directions issued similar orders treating the service as regular.

2. We have heard Mr.A.I. Bhatkar, Learned Counsel for the applicants and Mr.V.S. Masurkar, Learned Counsel for the Respondents. It has been brought to our notice that some of the applicants had already made representations to the Respondents to consider the case for grant of of promotion under the Assured Career Progression Scheme, but no reply has been received. Mr.Bhatkar, Learned Counsel for the Applicants further states that in some of the cases replies have been sent, stating that it is not possible to consider such promotions taking into account the services for regularisation. Mr.Masurkar, Learned Counsel appearing on behalf of the Respondents has submitted that the representations have been given to the Respondents and the same will be considered as early as possible and some of the applicants ^{who} have not given representations ^{see} may do so now and they should be considered on merits.

3. In the light of the above, we are of considered view that that all these applications should be decided at the stage of admission itself by directing the Respondents to consider the representations already submitted to them as well as representations to be submitted within a period of one month

from the date of receipt of the copy of this order and decide the representations within a period of 3 months from the date of receipt of such fresh representations.

4. With the above directions the OAs are disposed of with no order as to the costs.

(G.C. Srivastava)
Member (A)

H.

Free copy

(Birendra Dikshit)
Vice Chairman.

(एम्. ए. देसाई)

उप निदेशक,

केंद्रीय वन-संरक्षक कार्यालय,

कुर्गु न्यायमार्ग, मुंबई

गुड्डेस्तान, पेशवा, नर्मदा रोड,

कां. पुणे-४००००१.

*original is
OA 688/2000*

True copy