

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

**ORIGINAL APPLICATION NO. 291/00427/2016
WITH
MISC. APPLICATION NO. 291/00230/2016**

DATE OF ORDER: 25.07.2016

CORAM

**HON'BLE MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER**

6407170L UDC, Meghraj Gurung S/o late sh. M.B. Gurung, aged about 45 years. Working as UDC in the office of commanding officer 706 Tpt ASC (CIVGT), Pin 905706, C/o 56 APO.

R/o E-9, Near Govt. Poultry Farm, Khatipura Road, Jaipur – 12, Gr. C, Post.

....Applicant

Mr. B.K. Pareek, proxy counsel for
Mr. T.P. Sharma, counsel for applicant.

VERSUS

1. The Union of India through Secretary of Ministry of Defence, Govt. of India, South Block, New Delhi – 110001.
2. The Adjutant General Integrated HQS of Ministry of Defence (Army), A-Wing, Sena Bhawan, New Delhi – 110011.
3. The Director General of Supplies & Transport, Quartermaster General's Branch Integrated HQS of Ministry of Defence (Army), DHQ PC, New Delhi – 110105.
4. Office in-charge, office of the record South Bangalore, Pin- 900493, C/o 56 APO.
5. The Secretary, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, North Block, New Delhi – 110001.
6. Commanding Officer, 706 Tpt ASC (CIVGT), Pin 905706, C/o 56 APO.

....Respondents

ORDER

(Per MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER)

The present Original Application has been filed by the applicant seeking issuance of a direction to the respondents to grant him the first ACP on completion of 12 years of service with effect from 07.03.2006 and also grant him consequential benefits.

2. Heard Shri B.K. Pareek, proxy counsel for Mr. T.P. Sharma, counsel for applicant. He submitted that before approaching this Court, the applicant served various representations to the department but the same have not been decided so far. He drew our attention to communications, Annexure A/1 and Annexure A/2 wherein the respondents admit that the applicant has filed various representations and the same are pending. He further submitted that an identical issue has already been decided by a coordinate Bench of this Tribunal at Guwahati in OA No. 040/00029/2016 in the case of Sri Sanjeev Kumar Poon & Ors. vs. Union of India & Ors. decided on 09th February, 2016. He prayed that similar directions be issued to the respondents to consider his claim in the light of orders passed by the Guwahati Bench of the Tribunal.

3. In view of the above, there is no need to issue formal notice to the respondents. However, on our asking Shri Prateek Singh on behalf of Shri S.S. Sharma, Senior Central Govt. Standing Counsel appeared before the Court and submitted that he does not oppose the disposal of the OA in the above terms. However, he submitted that authorities may be granted sufficient time to consider and decide the case of the applicant.

4. Considering the above submissions and without entering into the merits of the case, we dispose of this Original Application at this stage by directing the competent authority amongst the respondents to consider and decide the representation(s) of the applicant by passing a speaking and reasoned order. While deciding the case of the applicant, the respondents have to keep in mind the judgment passed by the Guwahati Bench of the Tribunal in OA No. 040/00029/2016 (supra). Let this exercise be carried out by the respondents within a period of four months from the date of receipt of a copy of this order. Needless to say that we have not expressed any opinion on the merits of the case.

5. The Original Application is disposed of accordingly. In view of the order passed in the OA, the MA for condonation of delay also stands disposed of. No order as to costs.


(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER


(SANJEEV KUMAR KAUSHIK)
JUDICIAL MEMBER

kumawat