

# THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH, JAIPUR ORDER SHEET

APPLICATION NO.: \_\_\_\_\_

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

**26.02.2009**

**OA No. 340/2007**

Mr. P.N. Jatti, Counsel for applicant.  
Mr. D.C. Sharma, Counsel for respondents.

Heard in part. We have perused the Service Book of the applicant, which has been produced by the learned counsel for the respondents.

Let the matter be listed for hearing on 18.03.2009. The photocopy of the extracts from the Service Book, as produced by the learned counsel for the respondents, is taken on record.

  
(B.L. KHATRI)  
MEMBER (A)

  
(M.L. CHAUHAN)  
MEMBER (J)

AHQ


**18.03.2009**

**OA No. 340/2007**

Mr. P.N. Jatti, Counsel for applicant.  
Mr. D.C. Sharma, Counsel for respondents.

Heard learned counsel for the parties.

For the reasons dictated separately, the OA is disposed of.

  
(B.L. KHATRI)  
MEMBER (A)

  
(M.L. CHAUHAN)  
MEMBER (J)

AHQ

*only one sets  
of documents  
filed.*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 18<sup>th</sup> day of March, 2009

**CORAM:**

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

**1. ORIGINAL APPLICATION NO. 339/2007**

Sarwan Kumar son of Shri Panchu Ram by caste Sharma, aged about 57 years, resident of P.L. No. 13, Pratap Nagar, Holiday Inn, Opp. Amer Road, Jaipur. Presently working as DatDafatari in the Office of Census, 68, Jhalana Doongri, Jaipur.

.....APPLICANT

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through Registrar General, Census, 2A, Man Singh Road, New Delhi.
2. The Director, Office of the Directorate of Census Operation, 6-B, Jhalana Doongri, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. Hemant Mathur)

**2. ORIGINAL APPLICATION NO. 340/2007**

Panchu Ram son of Shri Bhonri Lal by caste Meena, aged about 58 years, resident of House No. 03, Radha Govind Nagar, Sheopur. Presently working in the office of Census as Mali, 6-B, Jhalana Doongri, Jaipur.

.....APPLICANT

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through Registrar General, Census, 2A, Man Singh Road, New Delhi.
2. The Director, Office of the Directorate of Census Operation, 6-B, Jhalana Doongri, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. D.C. Sharma)

**3. ORIGINAL APPLICATION NO. 341/2007**

Gulab Singh son of Shri Bancy Singh by caste Rajpur, aged about 60 years, resident of Majdoor Nagar, Ajmer Road, Jaipur. Presently working as Group 'D' official in the office of the Directorate of Census, B-6, Jhalana Doongri, Jaipur.

.....APPLICANT

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through Registrar General, Census, 2A, Man Singh Road, New Delhi.
2. The Director, Office of the Directorate of Census Operation, 6-B, Jhalana Doongri, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. Hemant Mathur)

**ORDER (ORAL)**

By this common order, we propose to dispose of these three OAs as common question of facts & law are involved.

2. The grievance of the applicants in these OAs is that they have not been given financial upgradation under ACP Scheme by the respondents even though they have completed more than 24 years of service. As such, they have prayed that direction may be given to the respondents to allow higher pay scale under ACP Scheme. They have also filed representation but no action has been taken by the respondents.

3. Notices were issued to the respondents. The respondents have filed reply. In the reply, the respondents have stated that applicants have been granted IN-SITU promotion, which is an upgradation and after completion

of 24 years of regular service, they were granted second financial upgradation, hence they were not entitled to any further financial upgradation under ACP Scheme. The respondents have given detailed reply as to how the pay of the applicants was fixed after granting aforesaid two upgradations and the scale of financial upgradation which has been granted to them.

4. We have also summoned the service record and have perused the same.

5. Learned counsel for the applicants submits that he wants to withdraw these OAs at this stage as he will agitate the matter before the Appropriate Authority for grant of financial upgradation in the higher scale and if need be by forfeiting his claim regarding IN-SITU promotion.

6. In view of what has been stated above, the applicants are permitted to withdraw these OAs with liberty reserved to them to file representation, if any. In case such a representation is filed within a period of one month, the respondents shall entertain the same and decide the matter within a period of three months thereafter in accordance with law.

7. With these observations, these OAs are disposed of with no order as to costs.

(B.L. KHATRI)  
MEMBER (A)

AHQ

10.  
(M.L. CHAUHAN)  
MEMBER (J)