

**Central Administrative Tribunal
Principal Bench**

**C.P. No. 62/2017
In
O.A. No. 1372/2014**

New Delhi this the 15th day of September, 2017

Hon'ble Sh. Shekhar Agarwal, M (A)

Hon'ble Sh. Raj Vir Sharma, M (J)

Ashok Mudgal (Aged 56 yrs.)
S/o (late) Sh. S.S. Sharma
R/o Flat No. B-402, Munirka Apartment
Sector 9, Dwarka, New Delhi-110077
Presently Working as :
Asstt. Engineer (E) in D.S.I.I.D.C. Ltd and is on
Deputation on the post of EE (El.) to DTIDC Ltd.
Govt. of NCT of Delhi, New Delhi.

... Applicant

(By Advocate: R A Sharma)

Versus

1. Sh. A. Anbarasu, Secretary (Services)
GNCTD, Delhi Secretariat,
Players' Building
5th Level, A Wing, I.P. Estate,
New Delhi-110002

2. Sh. Chandrakar Bharti
Chairman/Secretary (Environment)
Delhi Energy Development Agency
Govt. of NCT of Delhi
Players' Building, 6th Level, A-Wing,
I.P. Estate, New Delhi-110002

3. Ms. Somya Gupta
Directorate of Education
(Directorate of Education),
Old Secretariat, Delhi-110054

4. Sh. K.R. Meena
Chairman & Managing Director
D.S.I.I.D.C. Ltd. N-36, Bombay Life Building
Connaught Circus, New Delhi-110001.

... Respondents

(By Advocate: Sh. Vijay Pandita)

Ms. Shipra Garg for Sh. Gaurang Kanth-R-4)

ORDER (ORAL)

Mr. Shekhar Agarwal, M(A)

This CP has been filed for alleged non-compliance of our order dated
22.01.2016, the operative part of which reads as follows:-

“26. In conclusion, we hold that the past services of the applicant in DEDA and Govt. of NCT of Delhi cannot be counted for the purpose of promotion to the post of Executive Engineer (Elect.), MACP as well as Merit Pay Scale. However, it could be counted for the purpose of ACP Scheme alone. The respondents are, therefore, directed to act accordingly.

27. The O.A. stands disposed of with the above observations. No costs.”

2. In compliance thereof, the respondents have passed an order dated 04.08.2017 by which the service of the applicant rendered in DEDA commencing from 22.06.1991 has been counted for the purpose of determining his eligibility for grant of 1st ACP. The order states that the 1st ACP shall become due to the applicant from 22.06.2003.

3, In view of the aforesaid, we are satisfied that our order has been complied with and nothing survives in this C.P. Accordingly, this CP is closed. The petitioner shall however, remain at liberty to challenge the aforesaid order if so advised, in accordance with law.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

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