

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.2387/2003
MA No.2047/2003

New Delhi this the 26th day of September, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri R.K. Upadhyaya, Member (A)

1. Subhash S/o Shri Bhim Singh,
H.No.698, A/21 Kailash Colony, Rohtak(Hy).
2. Surender Kumar S/o Shri Ratan Singh,
H.No.289 C Block Gali No.13,
Prem Nagar, Najafgarh, Delhi.
3. Rajbir Singh S/o Late Shri Ran Singh,
S-3/114 Swarn Park Extn, Mundka, Delhi.
4. Umed Singh S/o Shri Phool Singh,
D-36 Harsh Dev Park, Budh Vihar II, Delhi.

...Applicants.

(By Advocate: Shri Deepak Verma)

Versus

1. The Secretary,
Dept. of Expenditure, Ministry of Finance,
North Block, New Delhi.
2. The Secretary,
Ministry of Defence,
South Block, New Delhi.
3. Dt. Genl. Ordnance Services (OS-8C),
Master Genl. of Ordnance Branch,
Army Head Quarter,
DHQ P.O. New Delhi.
4. Commandant,
Ordnance Deopty,
Shakurbasti, Delhi-56.

...Respondents.

ORDER (ORAL)

By Smt. Lakshmi Swaminathan, Vice-Chairman (J)

Heard Shri Deepak Verma learned counsel for the
applicants.

2. Applicants have filed this application under Section 19
of the Administrative Tribunals Act, 1985 in which they
claim ~~for~~ financial upgradation under ^{102 B2} Assured Career

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(2)

Progression (ACP) Scheme in the grade of Rs.5000-8000 in the post of Chargeman Part-II Cadre.

3. Learned counsel for the applicants submits that the applicants have been granted pay scale of Rs.4000-6000 under the ACP Scheme after completion of 12 years of regular service instead of Rs.5000-8000. He has relied on an order of the Tribunal (Chandigarh Bench) in OA 1286/JK/2001. The applicants seek similar benefits. In this connection, learned counsel has drawn our attention to the letter issued by the respondents dated 02.9.2002 addressed to Respondent No.3. In this letter, the request has been made by the subordinate officer to the competent authority to take a decision in the matter in solving the long outstanding case of the applicant and others, whose names are given below in paragraph 5. Learned counsel has submitted that either a decision has not been taken by the competent authority in the matter or they have not conveyed it to the applicants. Hence this OA.

4. Taking into account the above relevant facts and the nature of the claim made by the applicants, i.e. financial upgradation in the grade of Rs.5000-8000 as Chargeman Garde-II on their completion of 12 years of regular service under the ACP Scheme, we consider it appropriate that in the first instance the respondents should take the decision in the matter in accordance with law and rules, as the matter is under their consideration. In this view of the matter, we dispose of the OA, even without issuing notices to the respondents, with the

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following directions:

- i) Respondent No.3 is directed to take appropriate decision in the matter regarding the claim of the applicants for grant of pay scale of Rs.5000-8000 under the ACP Scheme on their completion of 12 years of regular service in the grade of Chargeman-II;
- ii) In case their claim is rejected, the same shall be done by passing a reasoned and speaking order, with intimation to the applicants. Necessary action in this regard shall be taken within one month from the date of receipt of a copy of this order;
- iii) In case they have already taken a decision, that may be conveyed to the applicants immediately.


(R.K.Upadhyaya)

Member (A)


(Smt.Lakshmi Swaminathan)

Vice Chairman (J)

/kdr/