
(2020) 10 CAT CK 0039

In the Central Administrative Tribunal

Case No : Original Application No. 1540 Of 2020, Miscellaneous Application No. 1937 Of 2020

Chander Pal & Others

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 14-10-2020

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2020) 10 CAT CK 0039

Hon'ble Judges : Pradeep Kumar, Member (A); R.N. Singh, Member (J)

Bench : Division Bench

Advocate : Puspender Yadav, Hanu Bhaskar

Final Decision : Disposed Of

Judgement

R.N. Singh, Member (J)

M.A. No.1937 of 2020

1. The present MA has been filed by the applicants seeking permission to file the aforesaid OA jointly.
2. Issue notice. Shri Hanu Bhasker, learned counsel for the respondents, who appears on advance notice, accepts notice.
3. For the reasons given therein in the MA and keeping in view that there is no objection from the learned counsel appearing for the respondents, the present MA is allowed.

O.A. No.1540 of 2020

The present Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985, the applicants seeking the following reliefs:-

"(i) To direct the respondent to pass a reasoned and a speaking order on the representations Annexure A-1.colly of applicant in a time bound manner,

(ii) Direct the respondents to grant 1st ACP, 2nd ACP and MACP to applicants as per entitlement and pay and allowances be accordingly fixed.

(ii) All consequential benefits may be granted to the applicants."

2. The learned counsel for the applicants submits that the applicants have initially been working under the Police Establishment of various State Governments and subsequently they joined the services of the respondents on deputation basis. He further adds that subsequently the applicants have been absorbed under the respondent no.2 in accordance with the relevant rules and instructions on the subject.

Learned counsel for the applicant also submits that the applicants are entitled to be given the benefit of their previous services rendered under the State Governments for the purpose of ACP/MACP benefits and particularly, in view of various judgments of coordinate Benches of this Tribunal and for redressal of their grievances, the applicants have preferred their representations (Annexure A/1 (Colly.)), which are still lying consideration of the respondents.

3. Issue notice.

4. Shri Hanu Bhaskar, learned senior Central Govt. standing counsel, who appears on advance service, accepts notice.

5. Learned counsel for the applicants submits that the applicants shall be satisfied if the present OA is disposed of at this very stage with direction to the respondents to consider the applicants' aforesaid representations and to dispose of the same by passing a reasoned and speaking order in a time bound manner.

To such request, there is no objection from the learned counsel who appearing for the respondents. However, he submits that adequate time may be granted to the respondents as the matter may require deliberation at various levels in the offices of the respondents and particularly, the matter has to be referred to the DOP&T also.

6. In view of the aforesaid, without going into the merits of the claim of the applicants, the present OA is disposed of with direction to the respondents to consider the applicants' aforesaid representations (Annexure A/1 (Colly.)), in consultation with DOPT if necessary, and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within a period of six months from today, under advice to applicants.

7. The present OA is disposed of in above terms. There shall be no order as to costs.