

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.6245 OF 2012

Nehru Yuva Kendra Sangathan **Appellant(s)**
Versus
Sandeep Kumar and Others **Respondent(s)**

W I T H

CIVIL APPEAL NO.6150 OF 2012
CIVIL APPEAL NO.3887 OF 2013
CIVIL APPEAL NO.8111-8112 OF 2018
(Arising out of S.L.P.(C) No.35487-35488 of 2013)
CIVIL APPEAL NO.8113 OF 2018
(Arising out of S.L.P.(C) No.12903 of 2014)
CIVIL APPEAL NO.8114 OF 2018
(Arising out of S.L.P.(C) No.10361 of 2014)

O R D E R

Leave granted.

Heard Mr. Rana Ranjit Singh, learned counsel for the appellant, Mr. R. Venkatramani, learned senior counsel along with Mr. Harender Sharma, learned counsel for the respondents and Mr. K. Radhakrishnan, learned senior counsel for the respondent No.20, the Union of India.

In this batch of appeals, the question that emerges for consideration is whether the Benches of Central Administrative Tribunal at Cuttack, Chandigarh and Ernakulam have rightly granted the Assured Career Progression (ACP) to the private respondents, which conclusion has been concurred with by the High Courts.

The singular ground that has been urged before this Court is that the post of Junior Accountant was available in the cadre. On a perusal of the orders passed by the tribunals and the High Courts, it is noticeable that both the tribunals and the High Courts have recorded as a matter of fact that the posts were not available, as a consequence of which the benefit of ACP scheme was conferred on the respondents. That apart, the High Courts have taken note of the fact that ACP scales have been introduced to avoid any kind of stagnation of employees and confer the benefits. We have been apprised that benefits have already been conferred and pay scales have been fixed.

Taking note of the concurrent findings which relate to the above singular fact and since benefits have been conferred, we do not think that there is any justification to interfere with the orders impugned.

Resultantly, the appeals being sans merit, stand dismissed. There shall be no order as to costs.

.....CJI.
[Dipak Misra]

.....J.
[Dr. D.Y. Chandrachud]

.....J.
[Indira Banerjee]

New Delhi
August 07, 2018.

ITEM NO.102

COURT NO.1

SECTION IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.6245/2012

NEHRU YUVA KENDRA SANGATHAN

Appellant(s)

VERSUS

SANDEEP KUMAR & ORS.

Respondent(s)

WITH C.A. No.3887/2013 (III)
S.L.P.(C) No.12903/2014 (IV-B)
S.L.P.(C) No.10361/2014 (IV-B)
C.A. No.6150/2012 (XI-A)
S.L.P.(C) Nos.35487-35488/2013 (XII)
C.A. No.6150/2012 (XI-A)

Date : 07-08-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE KUMARI JUSTICE INDIRA BANERJEE

For Appellant(s) Mr. Rana Ranjit Singh, AOR
Mr. Vivek Kumar Singh, Adv.
Mr. Ravish Singh, Adv.

For Respondent(s) Mr. R. Venkatramani, Sr. Adv.
Mr. Harender Sharma, Adv.
Mr. Jetendra Singh, Adv.
Ms. Manju Jetley, AOR
Mr. M. Praveen Vignesh, Adv.
Mr. Rajan Gupta, Adv.
Manomay Basu, Adv.
Mr. Yashraj Singh Budhela, Adv.

Mr. Avinash Sharma, AOR

Mr. A. Radhakrishnan, Sr. Adv.
Mr. Raj Bahadur, Adv.
Ms. Alka Agrawal, Adv.
Mr. Vikas Bansal, Adv.
Mr. D. S. Mahra, AOR

Mrs. Anil Katiyar, AOR

**UPON hearing the counsel the Court made the following
O R D E R**

Leave granted.

**The appeals are dismissed in terms of the signed
order.**

(Chetan Kumar)

A.R.-cum-P.S.

(Signed order is placed on the file)

(H.S. Parasher)

Assistant Registrar