

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10951 OF 2017

Union of India and anr. ...Petitioners
Versus
Mridula P. Dhonde (PN-2868)@
Mridula K. Desai ...Respondent

WITH

WRIT PETITION NO. 11616 OF 2017

Union of India and anr. ...Petitioners
Versus
Sneha M. Kshrisagar (PN-8028)
@ Kum Rajashree V. Desai ...Respondent

WITH

WRIT PETITION NO. 10969 OF 2017

Union of India and anr. ...Petitioners
Versus
Madhuri A. Ghanwat (PN-2944)
@ Kum Madhuri J. Jadhav ...Respondent

WITH

WRIT PETITION NO. 10950 OF 2017

Union of India and anr. ...Petitioners
Versus
Ujwala Sunil Mayekar (PN-2818)
@ Kum. Unwala S. Bhatkar ...Respondent

WITH

WRIT PETITION (ST) NO. 24505 OF 2017

Union of India and anr. ...Petitioners
Versus
Geetha P. Kotian w/o.
Deceased through
Praveen S. Kotian (PN-2901) ...Respondent

Appearance in WP 10951 and 11616/17

Mr. A.R Gole for the Petitioners/UOI.

Ms Annie Nadar a/w. Mr. S.P. Saxena for the Respondent.

Appearance in WP NO.10950, 10969/2017 and WP (ST) No.24505/17

Mr. A.R Gole for the Petitioners/UOI
Ms Annie Nadar a/w. Mr. S.P. Saxena for the Respondent in WP 10950/2017.

Mrs. Lata Patne for the Respondent in WP 10969 and (ST) No.24505/2017.

CORAM : SMT. V. K. TAHILRAMANI, Acting C.J. & M. S. SONAK, J.

DATE : 18th APRIL 2018.

P.C.

1] Heard learned counsel for the parties.

2] Learned counsel for the parties agree that all these petitions can be disposed of by common order, since the challenge in all these petitions is to the common judgment and order dated 25th November 2016 passed by the Central Administrative Tribunal (CAT), Mumbai in O.As instituted by the respondents seeking benefit under the Assured Career Progression Scheme (ACP Scheme). The impugned judgement and order made by the CAT is in no manner different from similar judgments and orders made by the CAT, in virtually identical matters. The Union of India (UOI) has been selectively challenging some of the judgments

and orders and leaving some others unchallenged. Be that as it may, several similar orders made by the CAT were challenged before this court in Writ Petition (L) No. 1202 of 2012 and several connected matters. By judgment and order dated 24th July 2013, the said writ petitions were dismissed. As against the same, the Union of India instituted a special leave petition bearing Special Leave to Appeal (C) No(s).10226 of 2015, which was dismissed by the Hon'ble Supreme Court on 16th July 2015 on the ground of delay.

3] Ms Lata Patne, learned counsel for the respondent in some of these matters, points out that the UOI, practically throughout India, has accepted and implemented the view taken by the CAT that ad-hoc services followed by regularization is to be counted for purposes of ACP Scheme. She submits that selective challenges, therefore, ought not to be entertained.

4] Since, the issues raised in these petitions are fully covered by the judgment and order dated 24th July 2013 made by this court in Writ Petition (L) No. 1202 of 2012 and

several connected matters, for the reasons set out therein, we dismiss these petitions as well.

5] However, at the request of Mr. Gole, learned counsel for the petitioner/UOI, we extend the time for implementation of the directions issued by the CAT by period of further 12 weeks from today.

6] Accordingly, all the petitions are dismissed. The time for implementation of the directions of the CAT in the impugned judgments and orders are extended by a period of 12 weeks from today.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)