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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-3404/2002
MA-2944/2002

New Delhi this the 1st day of January, 2003.

Hon'ble Dr. A. Vedavalli, Member(J)

1. Mahesh Chander
2. Dharam Pal
3. Balwant Singh
4. Ashwani Kohli
5. Jagdish Chandra
6. Budh Ram
7. Inder Singh
8. Jagjit Singh
9. Jankesh
10. Ram Phal
11. Subhash
12. Ashok Kumar
13. Azad Singh
14. Jai Dev
15. Ram Pal Singh
16. Daya Chand
17. Sher Singh
18. Om Parkash
19. Ravinder Kumar
20. Harjinder Singh
21. Rameshwar Dayal Singhal
22. Virender Kumar
23. Ved Ram
24. Hari Naryan
25. Balbir Singh
26. Braham Pal
27. Chandu
28. Surender Kumar
29. Radha Kirshan
30. Suresh Kumar
31. Om Parkash
32. Radhey Shyam
33. Nar Singh
34. Keptan Singh
35. Vijay kumar

..... Applicants

(All the applicants are working as skilled workers on different trades in MES under respondents No.3 & 4 and their particulars are stated in Annex.A/8)

(through Sh. Yogesh Sharma, Advocate)

versus

1. Union of India through
the Secretary,
Ministry of Defence,
South Block,
Govt. of India, New Delhi.
2. The Dy. Secretary,
Govt. of India,
Ministry of Defence,
South Block,
New Delhi.

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3. The Engineer-in-Chief(Delhi Zone),
Army Head Quarters, E-in-C Branch,
Kashmir House, Ministry of Defence,
New Delhi. Respondents

ORDER (ORAL)

Hon'ble Dr. A. Vedavalli, Member(J)

Heard.

2. MA-2944/2002 for joining together of the applicants in one application is allowed.

3. When the matter came up for admission today, learned counsel for applicant submitted that the 35 applicants in this OA are aggrieved by the impugned order dated 6.3.2002 (Annexure A-1) passed by the respondents and that the applicants seek the following reliefs in this OA:-

"(i) That the Hon'ble Tribunal may graciously be pleased to pass an order of quashing the impugned order dt. 06.3.2002 only to the extent thgat "The pay of the applicants shall be fixed notionally and actual arrears shall be paid only from the date of filing the OA and consequently pass an order directing the respondents to grant the arrears of difference of pay to the applicants from the date of their appointment till 6.11.2001 with interest.



(ii) That the Hon'ble Tribunal may further graciously be pleased to pass an order declaring to the effect that the action of the respondents not granting the arrears of difference of pay to the applicants is illegal, arbitrary and consequently the applicants are entitled for the same.

(iii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants."

4. On a query from the Bench as to whether the applicants have submitted any representation to the respondents, learned counsel stated that only Applicant No.1 has submitted a representation dated 2.12.2002 (Annexure A-9) and others have not submitted any representation till now. However, he prays that the present OA may be disposed of at the admission stage with a direction to the respondents to treat the present OA itself as a representation on behalf of all the applicants and dispose of the same within a particular time frame to be fixed by the Court with liberty to approach the Tribunal again if any grievance survives further.

5. On hearing the learned counsel for applicants and on a consideration of the matter and in the interests of justice, the OA is being disposed of at the admission stage itself with the following

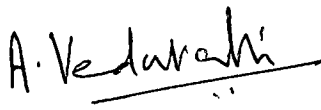
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(5)

directions:-

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- (a) Respondents are directed to treat the present OA as a representation submitted by the applicants regarding their grievances, examine the same in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same with a detailed and reasoned order under intimation to the applicants within three months from the date of receipt of a copy of this order.
- (b) If any grievance further survives thereafter applicants are granted liberty to approach this Tribunal again in appropriate fresh original proceedings, if so advised, in accordance with law.
- (c) Registry is directed to send a copy of the OA alongwith a copy of this order to the respondents.


(Dr. A. Vedavalli)
Member(J)

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