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Central Administrative Tribunal, Principal Bench

Original Application No.2183 of 2002

M.A.No.1789/2002

New Delhi, this the 20th day of August, 2002

Hon'ble Mr. Justice Ashok Agarwal, Chairman

Hon'ble Mr. S.A.T. Rizvi, Member (A)

1. Shri Mahipal Singh Yadav,
Senior Auditor, A/C No. 8322765
JCDA(PD) Delhi Cantt. 10
 2. Shri Anil Kumar
Senior Auditor, A/C No. 83172441
DPDO, Brar Square, Delhi Cantt. 10
 3. Shri Kartar Singh
Senior Auditor, A/C No. 8317250
DPDO, Brar Square, Delhi Cantt. 10
 4. Shri Zile Singh
Senior Auditor, A/C No. 8312631
AO (Project) Sea Bird, R.K. Puram
New Delhi-66
 5. Shri G.L. Chaturvedi
Senior Auditor, A/C No. 8310225
AO (Project) Sea Bird, R.K. Puram
New Delhi-66
 6. Shri Tekchand
Senior Auditor, A/C No. 8296324
AO (Project) Sea Bird, R.K. Puram
New Delhi-66
 7. Ms. Sarita Gigoo,
Senior Auditor, A/C No. 8326835
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New Delhi-66
 8. Shri Amar Naresh
Senior Auditor, A/C No. 8301918
LAO (A), Delhi Cantt. 10
 9. Shri J.C. Kumar
Senior Auditor, A/C No. 8306784
LAO (A), Delhi Cantt. 10
 10. Ms. Geetanjali Vashisht
Senior Auditor, A/C No. 8307852
AAO, GE(1) R&D, Delhi-54
 11. Ms. Usha Khosla
Senior Auditor, A/C No. 8306675
AAO, GE(1) R&D, Delhi-54
 12. Ms. Raj Malhotra
Senior Auditor, A/C No. 8330653
AAO, GE(1) R&D, Delhi-54
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13. Shri Netra Pal
Senior Auditor, A/C No. 8312553
PCDA(PD) 'G' Block,
New Delhi-11
 14. Shri Girish Kakkar
Senior Auditor, A/C No. 8319015
PCDA(PD) 'G' Block,
New Delhi-11
 15. Shri Ashok Kumar
Senior Auditor, A/C No. 8312375
PCDA(PD) 'G' Block,
New Delhi-11
 16. Ms. Prem Kumari,
Senior Auditor, A/C No. 8316240
PCDA(PD) 'G' Block,
New Delhi-11
 17. Shri Bishanlal
Senior Auditor, A/C No. 8307801
ALAO 'H' Block,
New Delhi-11
 18. Ms. Neelam
Senior Auditor, A/C No. 8322977
ALAO 'H' Block,
New Delhi-11
 19. Ms. Suman
Senior Auditor, 8319003
DCDA(AF) Subroto Park
New Delhi-10
 20. Shri Joginder Nath
Senior Auditor, 8317467
DCDA(AF) Subroto Park
New Delhi-10
 21. Shri M.C. Manaktola
Senior Auditor, 8297806
DCDA(AF) Subroto Park
New Delhi-10
 22. Ms. Sashi Bhuttani
Senior Auditor, A.C. No. 8317251
DPDO Red Fort-I
Delhi
 23. Shri Yashpal Jolly
Senior Auditor, 8312543
LAO(AF) 'B' Race Course
New Delhi-11
 24. Shri Neera Behl
Senior Auditor, 8317249
LAO(AF) 'B' Race Course
New Delhi-11
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25. Shri Saroj Marwah
Senior Auditor, 830872
LAO(AF) 'B' Race Course
New Delhi-11
26. Shri R.P. Chhoker
Senior Auditor, 8317247
LAO(AF) 'B' Race Course
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27. Shri Onkar Chand
Senior Auditor, 8322862
LAO(AF) 'B' Race Course
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28. Shri Gajadhar Singh
Senior Auditor, 8319307
LAO(AF) 'B' Race Course
New Delhi-11
29. Shri Manjit Singh
Senior Auditor, 8300365
LAO(AF) 'B' Race Course
New Delhi-11
30. Shri Govind Singh Bist
Senior Auditor, 8288219
LAO(AF) 'B' Race Course
New Delhi-11
31. Shri K.D. Sharma
Senior Auditor, 8330471
LAO(AF) 'B' Race Course
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32. Shri J.G. Verma
Senior Auditor, 8297537
LAO(AF) 'B' Race Course
New Delhi-11
33. Shri Rajpal Singh Rawat
Senior Auditor, 8323027
LAO(AF) 'B' Race Course
New Delhi-11
34. Shri Veer Singh Rana,
Senior Auditor, 8307067
LAO(AF) 'B' Race Course
New Delhi-11
35. Shri Jagdish Chandra Arya
Senior Auditor, 8298987
LAO(AF) 'B' Race Course
New Delhi-11
36. Shri Kanwal Nain
Senior Auditor, 8294637
LAO(AF) 'B' Race Course
New Delhi-11
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37. Shri S.P. Singh Lorish
Senior Auditor, 8306811
CGDA, West Block-V
R.K. Puram, New Delhi-66

.... Applicants

(By Advocate: Shri E.J. Verghese)

Versus

1. The Union of India
Through the Secretary
Ministry of Personnel, Public Grievances,
and Pension,
(Department of Personnel and Training)
North Block, New Delhi-11

2. The Union of India
Through the Secretary
Ministry of Finance,
Department of Expenditure
North Block, New Delhi-11

3. The Union of India
Through the Secretary
Ministry of Defence
South Block, New Delhi-11

4. The Controller General of Defence Accounts
West Block V, R.K. Puram
New Delhi-66

.... Respondents

O R D E R (ORAL)

By Mr. S.A.T. Rizvi, Member (A)

M.A. 1789/2002 for joining together in a single
OA, is allowed.

2. 37 Senior Auditors working under the Ministry
of Defence are before us seeking pay parity with the
Assistants working in the Central Secretariat Service. A
similar matter which came up before us in OA No. 1664/2001
was decided on 11.4.2002 (page 69-73 of the paper book)
with a direction to the respondents to implement the
decision of the Guwahati Bench rendered in OA No. 85/2000 in
favour of the applicants in OA No. 1664/2001. A similar
matter came up before us once again in OA No. 1442/2002
connected with OA No. 1443/2002 involving 51 Senior

Auditors. The aforesaid OAs were disposed of on 31.5.2002 (page 74-76 of the paper book) with a direction to the respondents to consider the claims of the aforesaid applicants by following the decision rendered by us earlier in the aforesaid OA No.1664/2001. The aforesaid order was passed at the admission stage itself.


3. The learned counsel appearing on behalf of the applicants in the present OA submits that this case is fully covered by the aforesaid judgements of this Tribunal and seeks a direction to the respondents on the lines such directions have been given in OA No.1442/2002 connected with OA No.1443/2002. *On consideration, we direct accordingly. d*

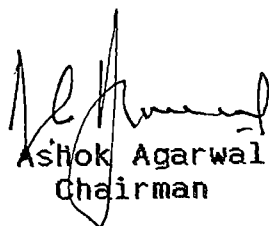
4. The present OA is one of the several OAs which have come up before this Division Bench seeking the same benefit of grant of pay parity to Senior Auditors on par with the Assistants of Central Secretariat Service. The learned counsel appearing on behalf of the applicants tells us that many more OAs filed by similarly placed Senior Auditors are presently pending in the other Benches of this Tribunal. Around eight thousand Senior Auditors are at work under the Ministry of Defence. It is likely that a large number of them have not yet benefited from orders passed by this Tribunal in respect of pay parity, as in the aforesaid cases.

5. We have noticed that Senior Auditors working under the Ministry of Defence have been approaching the Tribunal in piecemeal and all of them have got the same

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relief which we have provided in OA No.1664/2001. Such OAs from Senior Auditors as are currently pending, are likely to be disposed of similarly. In this view of the matter, we find it just and proper to direct the respondents to consider the claims of all the Senior Auditors who have not yet benefited from pay parity as above and to pass appropriate orders in their cases as well as expeditiously as possible instead of making them run to the Tribunal. We need to remind the respondents that it is settled law that once a relief has been granted to some persons, the same is required to be granted to all others who are similarly placed and are working under the same respondents without making them run ^{from pillar to} post^s for seeking remedy in individual cases. We do hope that the respondents will deal with the matter as indicated as it will be in the interests of all to save time and energy ^{involved} in fruitless litigation. We direct accordingly. O.A. is disposed of in the aforestated terms.


(S.A.T. Rizvi)
Member (A)


(Ashok Agarwal)
Chairman

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