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Central Administrative Tribunal, Principal Bench

Original Application No.687 of 2002

M.A.No.593/2002

New Delhi, this the 14th day of March, 2002.

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr.S.A.T.Rizvi, Member (A)

1. Mr. V. K. Sharma
S/o Shri Vishnu Datt Sharma
R/o WZ-65A, Meenakshi Garden,
New Delhi-18.
2. Mr. S. K. Sharma,
S/o late Shri Jagdish Ram
R/o RZ-204, Vaishali
Gali No.2, Palam Dabari Road,
New Delhi-45
3. Mr. V. P. S. Tomar
S/o late Shri Birham Singh
R/o 1671, Gulabi Bagh,
Delhi-7
4. Mr. Ish Kumar Lakhanpal
S/o Shri R. K. Lakhanpal
R/o Sector-D, Pocket-7
Flat No.7502, Vasant Kunj
New Delhi-70

- Applicants

(By Advocate: Shri B.T.Kaul)

Versus

1. Govt. of NCT of Delhi
(Through the Chief Secretary)
New Secretariat
I.T.O., New Delhi
2. Irrigation & Flood Control Department
(Through the Secretary)
Govt. of N.C.T. of Delhi

- Respondents

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

M.A.593/2002 for joining together in a single application, is granted.

2. By an order passed on 17.12.97 at Annexure A-2 collectively, applicants alongwith one Shri R.C.Manchanda were promoted as Executive Engineer(Civil)/Surveyor of Works (Civil) in the pay scale of Rs.3000-4500




(pre-revised) against the vacancies of 1995-96. All the aforesaid officers were already on current duty charge on the aforesaid posts. Aforesaid Shri R.C.Manchanda had instituted OA No.1817/2000 which was disposed of by an order of 20.3.2001 by directing the respondents to grant him notional fixation of pay and allowances in the grade of Executive Engineer ~~arose~~ in the year 1995-96 and grant him increments upto the date of his actual promotion on 17.12.97. Aforesaid directions were duly complied with by the respondents by issue of an order of 31.10.2001 at Annexure A-6. By the aforesaid order of 31.10.2001, aforesaid Shri R.C.Manchanda has been held to be disentitled to any other benefit such as seniority in the grade of Executive Engineer(Civil).

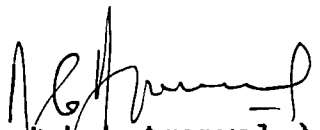
3. Applicants who are similarly placed as Shri R.C.Manchanda, submitted various representations (Annexure A-7 collectively). Respondents have, however, not responded to the aforesaid representations. Apart from claiming the very same benefits which have actually been granted to the aforesaid Shri R.C.Manchanda, applicants also claim seniority based on the order of fixation of pay scale w.e.f. the date of vacancies having arisen in the year 1995-96. Since respondents have not passed any order on the aforesaid representations, we find that ends of justice will be duly met by disposing of the present OA at this stage itself even without issue of notices with a direction to the respondents to pass a reasoned and speaking order on the aforesaid representations expeditiously and within a period of four weeks from the



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date of service of a copy of this order. Present OA may be treated as an additional representation for the purpose of passing appropriate orders. Present OA is disposed of in the aforestated terms.


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


(Ashok Agarwal)
Chairman

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