



CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH

...

O.A. No.60/1233/2018 Date of decision: 28.01.2020

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MS. NAINI JAYASEELAN, MEMBER (A).**

...

1. MES No. 369902, Sh. Gurtej Singh S/o Sh. Kartar Singh aged 58 Years, Carpenter SK O/o GE (S) Bathinda R/o Tungwali, Tehsil Nathana, Distt Bathinda, (Pb.) -151101. **Group 'C'**.
2. MES No. 369609, Sh. Darshan Singh S/o Sh. Major Singh aged 58 Years, Mason SK O/o GE (S) Bathinda R/o Joganand, P.O. Bibi Wala, Tehsil Nathana, Distt Bathinda, (Pb.) -151102.
3. MES No. 370329, Sh. Lilla Singh S/o Sh. Hazura Singh aged 57 Years, P/FTR SK O/o GE (S) Bathinda R/o Tungwali, Tehsil Nathana, Distt Bathinda, (Pb.) -151101.
4. MES No. 370849, Sh. Kulwant Singh S/o Sh. Bholu Singh aged 57 Years, Mate Mason O/o GE (S) Bathinda R/o VPO – Bhuchot Khurd, Tehsil Nathana, Distt Bathinda, (Pb)-151101.
5. MES No. 370850, Sh. Gora Singh S/o Sh. Bachan Singh aged 55 Years, P/FTR SK O/o GE (S) Bathinda R/o Village Kot Fatta, Distt Bathinda, (Pb)-151101.
6. MES No. 368893, Sh. Hira Lal S/o Sh. Ram Parshad aged 55 Years B/Smith O/o GE (S) Bathinda R/o H. No. 30746 St, No. 2, Arjun Nagar, Bathinda, Punjab-151001.
7. MES No. 370853, Sh. Butta Singh S/o Sh. Babu Singh aged 54 Years, Mate H/Man, O/o GE (S) Bathinda R/o Village Bhuchot Kalan, P.O. Bhuchot kalan Tehsil Nathana, Distt Bathinda, Punjab-151101.
8. MES No. 371765, Sh. Bachittar Singh S/o Sh. Mukhtiar Singh aged 56 Years, Mate Mason, O/o GE (S) Bathinda R/o VPO Bibi Wala, Tehsil Nathana, Distt Bathinda, Punjab-151001.
9. MES No. 371755, Sh. Mehar Singh S/o Sh. Ram Partap Singh aged 53 Years, P/FTR, O/o GE (S) Bathinda R/o VPO Bibi Wala, Tehsil Nathana, Distt Bathinda, Punjab-151001.
10. MES No. 373559, Sh. Gurmit Singh S/o Sh. Lal Singh aged 52 Years, Mate Carp, O/o GE (S) Bathinda R/o H. No. 23968 St, No. 16/2, Dhabiana Road, Bathinda, Punjab-151001.
11. MES No. 373562, Sh. Chandar Bali S/o Sh. Ganga Jal aged 53 Years, Mate Painter, O/o GE (S) Bathinda R/o St. No. 3, Dhabiana Basti, Bathinda, Punjab-151001.
12. MES No. 371958, Sh. Gurdip Singh S/o Sh. Kartar Singh aged 53 Years, Mate Mason, O/o GE (S) Bathinda R/o VPO Mehma Balhad, Distt Bathinda, Punjab-151201.



13. MES No. 372797, Sh. Balwinder Singh S/o Sh. Sukhdev Singh aged 54 Years, Mate Mason, O/o GE (S) Bathinda R/o VPO Bibi Wala, Tehsil Nathana, Distt Bathinda, Punjab-151001.
14. MES No. 373558, Sh. Darshan Singh S/o Sh. Darbara Singh aged 54 Years, Mate Carpenter, O/o GE (S) Bathinda R/o VPO Nathpura, Distt Bathinda, Punjab-151102.
15. MES No. 369951, Sh. Mukand Singh (Rtd.) S/o Sh. Bachan Singh aged 60 Years, H/Man, O/o GE (S) Bathinda R/o VPO Bibi Wala, Tehsil Nathana, Distt Bathinda, Punjab-151001.
16. MES No. 369228, Sh. Babu Singh (Rtd.) S/o Sh. Mukhtiar Singh aged 61 Years, Carpenter SK O/o GE (S) Bathinda R/o VPO Kot Fatta, Distt Bathinda, Punjab-151101.
17. MES No. 368680, Sh. Mitha Singh (Rtd.) S/o Sh. Lal Singh aged 60 Years, Mate B/Smith, O/o GE (S) Bathinda R/o VPO Bhai Rupa (Ambedkar Nagar), Distt Bathinda, Punjab-151106.
18. MES No. 364604, Sh. Teja Singh (Rtd.) S/o Sh. Pritam Singh aged 61 Years, Painter (SK), O/o GE (S) Bathinda R/o VPO Balo, Distt Bathinda, Punjab-151510.
19. MES No. 369163, Sh. Beeru Singh (Rtd.) S/o Sh. Munshi Singh aged 60 Years, P/FTR HS-II, O/o GE (S) Bathinda R/o VPO Lehra Mohabbat, Tehsil Nathana, Distt Bathinda, Punjab-151111.
20. MES No. 369612, Sh. Lachman Singh (Rtd.) S/o Sh. Kapur Singh aged 60 Years, Mason SK, O/o GE (S) Bathinda R/o Village Mari, P.O. Bhaini Distt Bathinda, Punjab-151102.
21. MES No. 370848, Sh. Sardul Singh (Rtd.) S/o Sh. Gurdev Singh aged 63 Years, P/FTR SK, O/o GE (S) Bathinda R/o Village Bhuco Khurd, Distt Bathinda, Punjab-151101.
22. MES No. 369602, Sh. Makhan Singh (Rtd.) S/o Sh. Ram Singh aged 60 Years, Mason HS-II, O/o GE (S) Bathinda R/o Village Bir Talab Basti No. 4 P.O. Multanaia, Tehsil& Distt Bathinda, Punjab-151001.
23. MES No. 369618, Sh. Kavi Ram S/o Sh. Pritam Singh aged 56 Years, Elect (SK), O/o GE (S) Bathinda R/o H. No. 27076 St, No. 5, Amarpura Basti, Bathinda, Punjab-151005.
24. MES No. 371007, Sh. Ajit Singh S/o Sh. Kartar Singh aged 58 Years, Elect. (SK), O/o GE (S) Bathinda R/o VPO Bhuco Khurd, Tehsil Nathana, Distt Bathinda, Punjab-151101.
25. MES No. 371758, Sh. Gullu Singh S/o Sh. Jangir Singh aged 53 Years, Elect. O/o GE (S) Bathinda R/o H. No. 26529 St, No. 3, Mehna Basti, Bathinda, Punjab-151001.
26. MES No. 369610, Sh. Gurmail Singh S/o Sh. Ujagar Singh aged 57 Years, Elect. SK, O/o GE (S) Bathinda R/o Village Rampura, Tehsil Phul Distt Bathinda, Punjab-151103.
27. MES No. 369915, Sh. Tej Singh S/o Sh. Jaggar Singh aged 58 Years, Elect HS-II, O/o GE (S) Bathinda R/o Village Nasebpura, Tehsil Talwandi Sabo Distt Bathinda, Punjab-151505.
28. MES No. 370208, Sh. Major Singh S/o Sh. Mehar Singh aged 58 Years, Elect. SK, O/o GE (S) Bathinda R/o Village Gurusar, P.O. Dhurkot, Distt Bathinda, Punjab-151108.



29. MES No. 370205, Sh. Charinji Lal Singh S/o Sh. Parkash Singh aged 54 Years, Elect. HS-II, O/o GE (S) Bathinda R/o Mes Colony, Qtr. No. 10713 Near Bibi Wala Chowk, Distt Bathinda, Punjab-151001.
30. MES No. 370707, Sh. Balbir Singh (Rtd.) S/o Sh. Karam Singh aged 59 Years, Elect. HS-II, O/o GE (S) Bathinda R/o Gobind Nagar, St. No. 10/5, Distt Bathinda, Punjab-151003.
31. MES No. 369624, Sh. Ram Kumar S/o Sh. Sandu Ram aged 55 Years, Elect. HS-II, O/o GE (S) Bathinda R/o Mes Colony, Qtr. No. 252/4 Bathinda Cantt, Punjab-151004.
32. MES No. 369601, Sh. Mangat Singh S/o Sh. Gulzar Singh aged 57 Years, Elect. HS-II, O/o GE (S) Bathinda R/o Village Bir Talab basti No. 3, P.O. Multania Distt Bathinda, Punjab-151001.
33. MES No. 370322, Sh. Bishan Ram S/o Sh. Najar Ram aged 55 Years, P/FTR SK, O/o GE (S) Bathinda R/o Village Lal Singh Nagar, St. No. 15, Near Gurdwara Sahib Distt Bathinda, Punjab-151001.
34. MES No. 371313, Sh. Nachhattar Singh (Rtd.) S/o Sh. Teja Singh aged 59 Years, Elect. SK R/o VPO Bhicho Khurd, Tehsil Nathana Distt Bathinda, Punjab-151101.
35. MES No. 368683, Sh. Balwinder Singh (Rtd.) S/o Sh. Gura Singh aged 60 Years, Elect. SK, O/o GE (S) Bathinda R/o Village Sivian, Tehsil and Distt Bathinda, Punjab-151001
36. MES No. 369641, Sh. Nachhattar Singh (Rtd.) S/o Sh. Bachan Singh aged 60 Years, Elect. SK, O/o GE (S) Bathinda R/o Village Kutewala, Tehsil Maur Mandi, Distt Bathinda, Punjab-151509.
37. MES No. 369617, Sh. Bhola Singh (Rtd.) S/o Sh. Ajmer Singh aged 60 Years, Elect. SK, O/o GE (S) Bathinda R/o Village Mandi Kalan, Tehsil Maur Mandi, Distt Bathinda, Punjab-151103.

... APPLICANTS

By: Sh. Jagdeep Jaswal, counsel for the applicants.

VERSUS

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi-110011.
2. Engineer-in-Chief. E-in-C's Branch, Army Headquarters, Integrated HQ of MOD (Army), DHQ PO, Kashmir House, New Delhi-110011.
3. Commander works Engineer, Headquarters, Bathinda Military Station, Bathinda (Punjab)-151001.

... RESPONDENTS

By: Sh. Arvind Moudgil, counsel for the respondents.



ORDER (Oral)

...
SANJEEV KAUSHIK, MEMBER (J):-

1. Learned counsel for the parties are in agreement that this petition can be disposed of in terms of decision dated 5.7.2018 in the case of **Baldev Singh & Ors. vs. Union of India & Ors.**, wherein similar prayer was considered and the O.A. was disposed by directing the respondents to reconsider the claim of the applicants (therein) for grant of second financial upgradation in terms of decision dated 26.4.2017 (Annexure A-16 therein) by passing a reasoned and speaking order.
2. In view of consensus between the parties, present O.A. is disposed of in the same terms as in the case of Baldev Singh (supra), relevant para of which reads as under:

"5. Considering the above, we dispose of these O.As. with a direction to the respondents to reconsider the claim of applicants for grant of 2ndfinancial benefit under the ACP Scheme on completion of 24 years of service, in terms of decision dated 26.4.2017 (Annexure A-16),by passing a reasoned and speaking order within a period of one month from the date of receipt of certified copy of this order. In case their case is covered under the above policy, they will be extended the benefits else a speaking order be passed and conveyed to them. Till the respondents take a view in the matter, they will not effect recovery, pursuant to the impugned orders. No costs."



3. Learned counsel for the applicants also pointed out that similar benefit has been granted to some of the employees vide order dated 30.7.2018. The respondents are directed to consider this aspect of the matter also while deciding the case of the applicants. No costs.

(NAINI JAYASEELAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 28.01.2020.
Place: Chandigarh.

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