

**CENTRAL ADMINISTRATIVE TRIBUNAL****CHANDIGARH BENCH****O.A. No.060/00231/2020**

Chandigarh, this the 11th of March, 2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

Prem Chand Sharma son of Late Sh. M.R. Sharma, aged 59 years, working as Chief Security Officer, Nehru Hospital, PGIMER, Sector 12, Chandigarh - 160012 (R/o House No. 155, Phase-I, Omex New Chandigarh, Mullanpur, SAS Nagar, Mohali - 140901)

....Applicant

(BY: MR. R.P. RANA, ADVOCATE)

Versus

1. Postgraduate Institute of Medical Education and Research, Sector 12, Chandigarh - 160012 through its Director.
2. Union of India through the Ministry of Health and Family Welfare, New Delhi - 110011.

... .Respondents**O R D E R(Oral)****SANJEEV KAUSHIK, MEMBER (J):**

1. Applicant has assailed the orders dated 03.02.2020 and 19.02.2020 whereby the claim of the applicant for grant of benefit of order of this Court in T.A. No. 12/CH/2010 has been rejected on the plea that he was not petitioner in the said T.A.
2. Heard Mr. R.P. Rana, learned counsel for the applicant, who argued that the view taken by the respondents in denying the benefit of a judgment, which was in rem, to



the applicant, who is similarly placed like the applicants therein, is bad in law and is, therefore, liable to be quashed.

3. I have gone through the impugned orders and also the judgment passed by this Court in TA 12/CH/2010. After a perusal thereof, I am of the view that the benefit allowed by this Court in the indicated T.A. was not restricted to the applicants therein. Therefore, the impugned orders, restricting the benefit only to the petitioners in the said case, cannot sustain in law and are, therefore, quashed and set aside. The case is remitted back to the respondents to re-consider the claim of the applicant in view of the ratio laid down in T.A. 12/CH/2010, by passing a reasoned and speaking order, in accordance with law, within a period of two months from the date of receipt of a certified copy of this order and a copy thereof be duly communicated to the applicant.

4. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No order as to costs.

**(Sanjeev Kaushik)
Member (J)**

Place: Chandigarh
Dated: 11.03.2020

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