

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
**ORIGINAL APPLICATION NO.060/00012/2020
Chandigarh, this the 09th day of January, 2020**

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. MOHD JAMSHEDE, MEMBER (A)**

....

1. Kuldip Rai S/o Late Sh. Lachhman Dass, aged 53 years, working as Superintendent, CGST Audit Commissionerate, Central Revenue Building, Plot No. 19, Sector 17-C, Chandigarh-160017.
2. Munmun Saha D/o Sh. Bishnu Pada, aged 51 years, Superintendent, CGST Commissionerate, Ludhiana GST Bhawan, F Block, Rishi Nagar, Ludhiana-141001.
3. Anjly Mathur D/o Sh. K.P. Mathur, Superintendent, aged 48 years, CGST Audit Commissionerate, Ludhiana GST Bhawan, F Block, Rishi Nagar, Ludhiana-141001.
4. Balvinder Kaur D/o S. Avtar Singh, aged 50 years, Superintendent, CGST Audit Commissionerate, Ludhiana GST Bhawan, F Block, Rishi Nagar, Ludhiana-141001.
5. Ravinder Pal Singh S/o S. Harkishan Singh, aged 49 years, Superintendent, CGST Audit Commissionerate, Ludhiana GST Bhawan, F Block, Rishi Nagar, Ludhiana-141001.
6. Harminder Singh S/o Sh. Lashkar Singh, aged 52 years, Superintendent, Central GST Commissionerate, Jalandhar, Camp at GST Bhawan, Rishi Nagar, Block-F, Ludhiana-141001.
7. Dharam Pal S/o Sh. Pritam Chand, Superintendent, aged 54 years, CGST Commissionerate, GST Bhawan, F Block, Rishi Nagar, Ludhiana-141001.



8. Tarwinder Singh S/o Late S. Iqbal Singh, aged 45 years, Superintendent, Central Goods and Services Tax, Commissionerate, F Block, Rishi Nagar, Ludhiana-141001.
9. Sanjeev Sharma S/o Late Sh. Roshan Lal Sharma, aged 46 years, Superintendent, Central Goods and Service Tax Commissionerate, F Block, Rishi Nagar, ludhiiana-141001.
10. Gurinder Singh Gill S/o Sh. Ujagar Singh Gill, aged 53 years, Superintendent, Customs Commissionerate Ludhiana, GRFL, GT Road, Sahnewal, Ludhiana-141120.
11. Harnek Singh S/o Sh. Ramji Dass, aged Superintendent, Customs Commissionerate Ludhiana, GRFL, Sahnewal, Ludhiana-141120.
12. Ashok Kumar S/o Sh. Veer Pal Singh, aged 49 years, Superintendent, Hqrs. Pre/Post Audit, CGST, Commissionerate, Jammu, OB 32, Rail Head Complex, Jammu-180004.
13. Rakesh Chander S/o Sh. Mohinder Lal, aged 52 years, Superintendent, Hqrs. Pre/Post Audit, CGST, Commissionerate, Jammu, OB 32, Rail Head Complex, Jammu-180004.
14. Binod Kumar S/o Late Sh. Kiran Singh, aged 48 years, Superintendent, CGST Audit, Jammu, CGST Audit Commissionerate, O.B. 32, Rail Head Complex, Bhau Plaza Jammu Pin – 180004.
15. Naresh Kumar S/o Sh. Banarsi Dass, aged 52 years, Superintendent, CSGT Div-I, Bathinda, SCO No. 25-26, M.R. Complex, Model Town Phase-II, Bathinda-151001.
16. Resham Singh Sidhu S/o Sh. Chanchal Singh Sidhu, aged 51 years, Superintendent, CGST audit Circle, Bathinda, SCO No. 10-11, Phase-I, Model Town, Bathinda-151001.
17. Prithpal Singh S/o Sh. Sukhwant Singh, aged 52 years, Customs Superintendent, SGRDJI Airport, Amritsar-143001.



18. Rajesh Dhawan S/o Sh. Darshan Dayal Dhawan, aged 53 years, Superintendent, Central GST Commissionerate Rishi Nagar, F-Block, Ludhiana-141001.
19. Seema D/o Sh. Yuv Raj Kapuria, aged 51 years, Superintendent, CGST Commissionerate, Chandigarh-I, Central Revenue Building, Sector 17, Chandigarh-160017
20. Parvinder Singh Mann S/o S. Ajaib Singh Mann, aged 58 years, Superintendent, Land Customs Station, Dera Baba Nanak (Pb).
21. Ajay Sopori S/o Late Sh. O.N. Sopori, aged 50 years, Superintendent, Customs Preventive Division, Mission Road, Near Ram Lila Ground, Pathankot-145001.
22. Sandeep Mahajan S/o Sh. Dharam Paul Mahajan, aged 50 years, Superintendent, Customs Preventive station Jammu, 506, Sector-C Sainik Colony, Jammu-180011.
23. Munish Bery S/o Sh. Manoranjan Lal Bery, aged 48 years, Superintendent, CGST Division II, Amritsar, B-12, B Block Ranjit Avenue Amritsar-143001.
24. Rajesh Bedi son of Shri T.S. Bedi, aged 56 years, Senior Intelligence Officer (SIO), Directorate General of GST Intelligence, Regional Unit Amritsar, Ground Floor, SCO-57, District Shopping Complex, B-Block, Ranjit Avenue, Amritsar-143001.
25. Bhupinder Singh son of Sh Rajinder Singh, aged 58 years, Superintendent, CGST Division-II, B-12, Ranjit Avenue, Amritsar-143001.
26. Rajinder Kumar son of Sh , aged 54 years, Superintendent, Central Goods & Service Tax Division, Mandi (H.P) O/O The Assistant Commissioner, Central GST Division, Mandi (HP) Ward No. 10, Nagar Parishad, Dadour (Near Chowk), Tehsil Balh Distt. Mandi (H.P)-175008.



27. Narinder Sudan son of Late Sh Kuldeep Kumar, aged 49 years, Superintendent, Customs, CPS (Leh) Ist Floor, Hotel Mount Edge, Near Shanti Stupa, Leh-194101.
28. Deepinder Rana S/o Late Sh. Rajmal Rana, Superintendent, aged 50 years, Customs Preventive Station Leh, Hotel Moutain Edge, Near Shanti Stupa, Leh-194101.
29. Ashok Kumar S/o Late Sh. Kishore Chand, aged 60 years, Superintendent, Customs Preventive Division, Mission Road, Near Ramlila Ground, Pathankot (Pb)-145001.
30. Sandeep Arora son of Sh. Daya Nand Arora, age 49 years, Superintendent of Customs, Inland Container Depot, Baddi-173205.
31. Neeraj Bala Arora w/o Sh. Sandeep Arora aged 44 years, Superintendent (Review), CGST Sub Commissionerate Mohali, Plot No.19 Sector 17-C, Chandigarh-160017.
32. Santokh Singh son of Sh. Sarwan Singh, aged 57 years, Superintendent, CGST Division, Hargobind Nagar, Near Income Tax Office, Phagwara-144401.
33. Lalita Sharma w/o Sh Sohan Lal Sharma, Superintendent, Aged 53 years, Central GST Audit Commissionerate, Plot No. 19, Sector 17-C, Chandigarh-160017.
34. Meena Bains w/o Sh Sunil Bains, Aged 50 years, Superintendent, CGST Audit Commissionerate, Plot No. 19, Sector 17, Chandigarh-160017.
35. Hira Lal Kaul son of Sh. Arjun Nath Kaul, aged 56 years, Superintendent, O.B.32, Rail Head Complex, Bahu Plaza, Jammu-180002.
36. Rajinder Kumar son of Sh. Pushkar Nath Kaul, aged 49 years, Superintendent, O.B.32, Rail Head Complex, Bahu Plaza, Jammu-180002.



37. Rekha Rani w/o Sh Vinod Parkash Garg, Aged 51 years, Superintendent (Hqrs audit branch), Central GST Commissionerate, Block-F, Rishi Na Ludhiana-140001.
38. Paramjit Singh Kainth son of Sh Harbhajan Singh, aged 49 years, Superintendent (System), CGST audit Commissionerate, Block-F, Rishi Nagar, Ludhiana-140001.
39. Rajesh Bhatt son of Late Sh K P Bhatt, Aged 51 years, Superintendent, on deputation, as Assistant Director, Enforcement Directorate, Rani Villa, Bagaria House, Strawberry Hills, Chhota Shimla, Shimla 171002.
40. Gurdev Chand son of Late Sh Udhoo Ram, aged 58 years, Superintendent, CGST Division, Ferozepur (Camp at 2nd floor Savitri Complex, Dholewal Chowk), Ludhiana-141001.
41. Balbir Singh son of Sh. Lakha Singh, aged 47 years, Superintendent, Customs (P) Commissionerate, Custom House, The Mall, Amritsar.
42. Virander Kumar son of Sh P S Verma, aged 48 years, Superintendent, CGST Division, House No. 10-A, Sector 1-A, Parwanoo-173220.
43. Paramjit Singh son of Late Sh Hardev Singh, aged 53 years, Superintendent, CGST Division, Ferozepur (Camp at 2nd floor Savitri Complex, Dholewal Chowk), Ludhiana-140001.
44. Shirley Sood w/o Sh. Sandeep Sood, aged 46 years, Superintendent, Sunfarma (SEZ), Phase 8-A, Mohali-160055.
45. Jatinder Singh Dhaliwal son of Sh. Birinder Singh, aged 52 years, Superintendent, Land Customs Station, Dera Baba Nanak, Customs (Preventive) Commissionerate, Amritsar.
46. Baljeet Singh son of S. Hakam Singh, Superintendent, aged 52 years, Refund Cell, CONCOR, Custom Commissionerate, Ludhiana-141002.
47. Tejinder Singh son of Sh. Joginder Singh, aged 49 years, Superintendent, Anti Smuggling Unit, Customs



Commissionerate, GRFL, GT Road, Sahnewal, Ludhiana-141120.

48. Dinesh Kumar son of Sh Buta Ram, aged 55 years, Superintendent, CGST Division, Mission Road, Near Ramlila Ground, Pathankot (Pb)-145001.

49. Boota Singh son of Sh Lal Singh, aged 58 years, Superintendent, Technical Branch, CGST Commissionerate, Central Excise Bhawan, F-Block, Rishi Nagar, Ludhiana-140001.

50. Surinder Singh Chadha son of Sh Gurdit Singh, aged 59 years, Superintendent, CGST Division, Park Plaza, Chandigarh-Ambala Highway, Derabassi (Pb).

51. Surinder Kumar son of Late Sh Raj Kumar, aged 54 years, Superintendent, CGST Division, Near Railway Station, Phase-III, Urban Estate, Patiala (Pb)-147001.

52. Ravinder Singh Sidu son of Late Sh. Sucha Singh Sidhu, aged 59 years, Superintendent, HQrs Office, Customs Commissionerate, GRFL, Sahnewal, Ludhiana-141120.

53. Rajesh Kumar son of Late Sh. Ram Singh, aged 50 years, Superintendent, ICD Concor, Customs Commissionerate, Ludhiana-140001.

54. Anil Kumar Vaid son of Late Sh. S.K.Vaid, aged 54 years, Superintendent, CGST Range, Una, Central Tax & Central Excise Range, Azad Nagar, Una-174303.

55. Sanjeev Sharma son of Late Sh. K.K.Sharma aged 48 years, Superintendent, Customs Committee, Sahnewal, Ludhiana-141120.

56. Anil Kumar son of Late Sh. Jagan Nath, aged 59 years, Superintendent, Central Goods and Service tax Division, Kanfed Bhawan, Depot Bazar, Dharamshala.



57. Neena Sood daughet of Sh. A.C.Sood, aged 51 years, Superintendent, CGST Division-I, CR Building, 2nd Floor, The Mall, Amritsar-143001.
58. Vinod Joshi s/o Sh. Dadhu Ram Joshi, aged 53 years, Superintendent, Customs (Preventive) Commissionerate-143001.
59. Karamjit Singh son of Sh. Mukhtiar Singh, aged 51 years, Superintendent, ICD concor, Customs Commissionerate, Ludhiana-141010.
60. Raj Kumar son of Sh. Parkash Chand, aged 50 years, Superintendent, ICD Concor, Customs Commissionerate, Ludhiana-141010.
61. Deepak Kumar s/o Sh. Narotam Lal Grover, aged 52 years, Superintendent (R-11), CGST Division, Kapurthala, CGST Commissionerate, Jalandhar-144601.
62. Avtar Singh s/o Sh. Bhajan Singh, aged 52 years, Superintendent (Range-I), CGST Division, Kapurthala, CGST Commissionerate, Jalandhar-144601
63. Satnam Singh s/o Sh. Jagtar Singh, aged 49 years, Superintendent, CGST Division-I, Amritsar-143001.
64. Satinder Pal Singh s/o Sh. Harnam Singh, aged 54 years, Superintendent, O/O the Commissioner, Customs Commissionerate, GRFL, Sahnewal, Ludhiana-141120 (Group 'B' employees).

....Applicants

(Present: Mr. V.K. Sharma, Advocate)

Versus

1. Union of India through the Secretary to Government of India, Ministry of Finance, Department of Revenue, New Delhi-11001
2. Central Board of Excise and Customs, Ministry of Finance, Department of Revenue, New Delhi through its Chairman-11011



3. The Commissioner, Central Excise Commissionerate, Chandigarh-I, Central Revenue Building, Sector 17, Chandigarh-160017

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Respondents

(Present: Mr. Sanjay Goyal, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. M.A. NO.060/00046/2020 is allowed and the applicants are permitted to join together to file this O.A.
2. Heard.
3. At the very outset, learned counsel submitted that for the same very relief of grant of NFG, the similarly placed persons approached this Tribunal by filing O.A. No. 060/00541/2019 titled **Hardish Kumar Gill & Others Vs. Union of India & Others**, which was disposed of with a direction to the respondents to consider the claim of the applicants therein as well as other similarly placed persons in the department, in view of the ratio laid down in the relied upon judgments. He contends that though the relevant benefit has been granted to the applicants in the aforementioned case but the applicants herein despite being similarly placed have not been granted the benefit. He, therefore, prays that a direction be issued to the respondents to consider the representation of the applicants (Annexure A-9 colly) to grant the benefit of Non



Functional Grade from the due date, in view of the ratio laid down in the relied upon judgments.

4. Issue notice to the respondents.

5. Mr. Sanjay Goyal, Sr. CGSC, appears and accepts notice. He does not object to the disposal of the O.A. in the requested terms.

6. In view of the consensual agreement between the parties, we deem it appropriate to dispose of the O.A., in limine, with a direction to the respondents to consider and decide the claim of the applicants, as raised through indicated representations (Annexure A-9 colly) in view of the judgments relied upon by them, by passing a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. Ordered accordingly. It is further directed that upon such consideration if the applicants are found to be similarly placed like the applicants in the relied upon case(s), they be granted the similar benefit.

7. 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 costs.

(MOHD JAMSHED)
MEMBER (A)
Dated: 09.01.2020
PLACE: CHANDIGARH

(SANJEEV KAUSHIK)
MEMBER (J)



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