

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

**OA No. 061/860/2019
MA No. 061/1314/2019**

Chandigarh, this the 11th day of December, 2019

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

1. Ghan Bahadur Bisht S/o Sh. Tek Bahadur Bisht, Age 40 years, working as casual labourer, Military Farm, Jammu, R/o H. No. 61, Rmapura, Gandhi Nagar, Jammu-180 003.
2. Vinod Kumar S/o Lt. Sh. Jagan Nath, Aged 44 years, working as casual labourer, Militar Farm, Jammu R/o Gidder Galian, The. Bishnah, Jammu-180 003.
3. Rakesh Kumar S/o Sh. Kishori Lal, Aged 35 years, working as casual labourer, Military Farm, Jammu, R/o Vill Dagrauhi, PO Maharaj Nagar, The Jaisinghpur, Distt. Kangra, Himachal Pradesh-176 096.
4. Subhash Chander S/o Sh. Sat Pal, Age 44 years, working as Casual Labourer, Military Farm, Jammu, R/o Bhawani, The. Nowshera, PO, Bhawani, Distt. Rajouri, Jammu & Kashmir-180 003.
5. Vijay Kumar S/o Sh. Ramesh Lal, Age 33 years, working as casual labourer, Military Farm, Jammu, R/o VPO Domana, Tehsil and District Jammu-181 206.
6. Subhash Chnader S/o Sh. Bhadur Chand, aged 31, working as casual labourer, Militry Farm, Jammu, R/o Village Vidhipur The R.S. Pura Distt. Jammu-181 102.

.....Applicants

BY ADVOCATE: SH. ROHIT SETH

VERSUS

1. Union of India through the Defence Secretary, Nirman Bhawan, Ministry of Defence, South Block, New Delhi-110 011.
2. Quarter Master General (QMG), HQ of MOD Army, Sena Bhawan, New Delhi, Ministry of Defence, South Block, New Delhi-110 011.
3. Dy. Director, General Military Farms, through MSG Branch HQ of MOD (Army) West Block No. III, R.K. Puram, New Delhi-110 066.
4. General of Commandant in Chief, Headquarters, Northern Command, C/o 56 APO 908545
5. Sub Area Commander, Headquarters, Northern Command, C/o 56 APO 908545
6. Director Military Farms, Headquarter, Northern Command, C/o 56 APO 908545
7. Officer in charge, Military Farm Satwari Cantt, Jammu, Jammu and Kashmir – 180 003.

.....Respondents



BY ADVOCATE: **SH. K.K. THAKUR**

ORDER (ORAL)

MR. SANJEEV KAUSHIK, MEMBER(J):-

1. MA No. 061/1314/2019 is allowed. Applicants are allowed to join together and file this application jointly.

2. On the request of the learned counsel for the parties, this matter is taken up for disposal today.

3. The present OA has been filed by six applicants seeking a direction to the respondents to consider and regularize their services as per seniority on the same analogy and parameters, while keeping in view the principle of seniority, by giving them same treatment as has been given to their juniors who were working as casual labourers in other farms under Northern Command from due date with all consequential benefits, arrears of pay etc. and interest @ 12% thereupon from date the amount became due till the actual release thereof.

4. Heard Sh. Rohit Seth, learned counsel for the applicant who alleges discrimination and submits that persons junior to the applicants in different farms in one command have been regularized whereas the applicants who are senior, have been left out. Therefore, he prays that directions be issued to the respondents to consider the claim of the applicants for regularization in terms of seniority circulated by them and regularize their services from the date when the services of their juniors were regularized.

5. Considering the short prayer, as noticed above, I dispose of this OA, at this stage, by directing the respondents to consider the prayer of the applicants

and if persons junior to them are found to have already been regularized, then, the case of the applicants be also considered accordingly. This exercise be



carried out within a period of three months from the date of receipt of a certified copy of this order. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 11.12.2019
ND*

