

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Original Application No. 046/00436/2019

Date of Order: This, the 06th day of January 2020

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)



1. Shri. R. Chipong Yimchunger, aged about 51 years, Son of Shri Rhakho Yimchunger, Resident of House no. 169, Nuton Bosti, Ao Khel, Dimapur, Nagaland – 797112.
2. Ms. Ruth, aged about 37 Yrs.
Daughter of Shri N. Husibo Newmai, Resident of House no. 99, Thungbenz Complex, Lake View Colony, Dimapur, Nagaland – 797112.
3. Shri. Raheev Reddy, age about 53 Yrs.
Son of Late P. Adinarayana Reddy, Resident of House no. 107, Nuton Bosti, Ao Khel, Dimapur, Nagaland – 797112.
4. Ms. Gaichamdilu Golmei
Aged about 35 Yrs.
Son of Shri. Athouba Golmei, Resident of House no. 107, Nuton Bosti, Ao Khel, Dimapur, Nagaland – 797112.
5. Shri Harkirat Singh, aged about 28 Yrs,
Son of Shri Jagjit Singh, Resident of House no. 1, Doulou Complex, City Tower, Dimapur, Nagaland – 797112.
6. Shri Mukeshram Gautham S
Aged about 25 yrs, Son of Shri. Sathiyan M, Resident of House no. 20, Churches Colony, Circular Road, Dimapur, Nagaland – 797112.

7. Shri. Adabe Namgi, aged about 25 Yrs.
Son of Late Shri Kielumbe Namgi, House
no. 9, Doulou Complex, City Tower,
Dimapur, Nagaland – 797112.

8. Shri Shree Bhagwan
Aged about 24 Yrs.
Son of Shri Sube Singh, House no. 107,
Nuton Bosti, Ao Khel, Dimapur
Nagaland – 797112.

9. Shri. Pankaj Rawat, aged about 27 Yrs.
Son of Shri. Bir Singh, House no. 9, Doulou
Complex, City Tower, Dimapur
Nagaland – 797112.



10. Ms. Dipjyoti Pegu, aged about 33 Yrs.
Daughter of Shri Kanta Pegu, Resident of
House no. 107, Nuton Bosti, Ao Khel,
Dimapur, Nagaland – 797112.

11. Shri Kumou Stephen
Aged about 46 Yrs.
Son of Shri Lohru Salew, Resident of House
no. 540, Block No. 4, Lower Chandmari,
Kohima – 797001, Nagaland.

12. Shri Imtilepzung Yaden
Aged about 44 Yrs.
Son of Shri Imo Yaden, House no. 212,
Lower Bayavu, Kohima – 797001,
Nagaland.

13. Shri Betsy Lalsiempui
Aged about 34 Yrs.
Daughter of Shri L. Rokhum Infimate,
Resident of SIB, Office, Near TCP Gate,
Kohima, Nagaland, 797001.

.....Applicants

By Advocates: Sri U.K. Nair, Sr. Advocate assisted by
Ms. N. Shyamal

-Versus-



1. The Union of India represented by the Secretary, Government of India, Ministry of Home Affairs, North Block, Central Secretariat, New Delhi- 110001
2. The Secretary, Ministry of Finance, Department of Expenditure, North Block, Lok Nayak Bhawan, New Delhi-110001.
3. The Director, Intelligence Bureau, Ministry of Home Affairs, Government of India, New Delhi-110001.
4. The Joint Director, Subsidiary Intelligence Bureau, Kohima, Nagaland, Pin- 797001.
5. The Assistant Director/E, Subsidiary Intelligence Bureau, Kohima, Nagaland, PIN-797001.

...Respondents.

ORDER (ORAL)

MANJULA DAS, MEMBER (J)

At the outset, prayer for joining together as per Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987 is allowed.

2. This O.A. has been filed by 13 applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"8.I To direct the respondents to grant HRA to the applicants @ 20% w.e.f. the date of coming into force of the 6th recommendations with all consequential benefits.

8.II To direct the respondents to grant HRA to the applicant @ 16% w.e.f. July' 2017 onwards with all consequential benefits.

8.III To direct the respondents to grant interest @ 10% on the arrear HRA to be paid to the applicants with all consequential benefits.

8.IV Cost of the application.

8.V To pass any such order/orders as Your Lordships may deem fit and proper."



4. Sri U.K. Nair, Sr. Advocate assisted by Ms. N. Shyamal, learned counsel appearing on behalf of the applicants fairly submitted that the present applicants are similarly situated with the applicants in O.A. No. 282/2013, 02/2016 and 346/2017. As such, they will be satisfied if this O.A. be remanded back to the respondent authorities for treating the same as a comprehensive representation and consider the case of the present applicants also.

3. By accepting the prayer made by Sri U.K. Nair, Sr. Advocate for the applicants, we deem fit and proper to send back the matter to the respondent authorities more particularly respondent Nos. 3 & 4. Accordingly, we direct the applicants to produce this O.A. before the

appropriate authorities i.e. respondent Nos. 3 & 4 within a period of 15 days from the date of receipt of a copy of this order. On receipt of said O.A., respondent Nos. 3 & 4 shall treat the same as a comprehensive representation and dispose of it and consider the case of the applicants in the light of the decisions rendered by this Tribunal in O.A. No. 282/2013, 02/2016 and 346/2017, within a period of three months thereafter.



4. It is made clear that the decision of the respondent Nos. 3 & 4, should be reasoned and speaking and be communicated to the applicants forthwith.

5. With the above directions, O.A. stands disposed of accordingly.

6. There shall be no order as to costs.

(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)