



**Central Administrative Tribunal
Principal Bench**

OA No.4586/2015

New Delhi, this the 29th day of January, 2020

**Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)
Hon'ble Mr. Pradeep Kumar, Member (A)**

1. Vipin Tyagi, Aged- 31 Years,
S/o Late Nirankar Tyagi,
Working as HTO in O.F. Muradnagar,
R/o I/DS/317, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
2. Ram Avtar, Aged- 56 Years,
S/o Late Jagan Nath,
Working as Labrouer in O.F. Muradnagar,
R/o I/DS/281, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
3. Bal Ram, Aged- 58 Years,
S/o Late S.L. Sharma,
Working as Fitter General in O.F. Muradnagar,
R/o H.No.55, Gali No.2, Maliwara,
Near Kua, Ghaziabad (U.P.)
4. Ramesh Chand, Aged- 52 Years,
S/o Late Harish Chand,
Working as Mill-Wright Fitter in O.F. Muradnagar,
R/o Village Jalalpur, Post Muradnagar,
Ghaziabad (U.P.)
5. Babu, Aged- 59 Years,
S/o Late Nathoo,
Working as Fitter General in O.F. Muradnagar,
R/o 212-A/5, Nandgram Road,
Ghookana, Ghaziabad (U.P.)
6. Nand Kishore, Aged- 59 Years,
S/o Late Shiv Nath Singh,
Working as OMHE in O.F. Muradnagar,
R/o Vill. Hisali, P.O. Muradnagar,
Ghaziabad (U.P.)



7. Jaipal Singh, Aged- 61 Years,
S/o Late Banarsi Das,
Retired to the post of HTO from O.F. Muradnagar
R/o Gali No.12, Braj Bihar,
Muradnagar, Ghaziabad (U.P.)
8. Mohd. Farman, Aged- 61 Years,
S/o Sh. Masiuddin,
Retired to the post of Turner from O.F. Muradnagar
R/o Moh-Court, Ward -25,
Muradnagar, Ghaziabad (U.P.)
9. Dalip Kumar Batra, Aged- 56 Years,
S/o Late R.D. Batra,
Working as Examiner in O.F. Muradnagar,
R/o New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
10. I.D. Jaintu, Aged- 54 Years,
S/o Late Ikram Singh,
Working as JWM in O.F. Muradnagar,
R/o II/Q/233, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
11. Radheshyam L. Lodhi, Aged- 40 Years,
S/o Sh. Lakhpat Lodhi,
Working as JWM in O.F. Muradnagar,
R/o Type-III/DS/29, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
12. Satish Kumar Sharma, Aged- 53 Years,
S/o Sh. R.P. Sharma,
Working as Fitter General in O.F. Muradnagar,
R/o II/DS/B/103, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
13. Umesh Kumar Sharma, Aged- 59 Years,
S/o Late B. Sharma,
Working as Chargeman (Tech.) in
O.F. Muradnagar,
R/o D-332, Tower-8, River Heights,
Raj Nagar Extension, Ghaziabad (U.P.)
S/o Sh. K.L. Arora,
Working as Chargeman (Tech.) in
O.F. Muradnagar,



R/o 939/2, Sector-2, Shastri Nagar,
Meerut (U.P.)

15. Man Singh, Aged- 58 Years,
S/o Late Ram Kala
Working as _____ in
O.F. Muradnagar
R/o Vill. Asalatnagar, Post Muradnagar,
Ghaziabad (U.P.)
16. Prem Chand Pal, Aged- 42 Years,
S/o Sh. Balbeer Singh,
Working as Turner in O.F. Muradnagar,
R/o II/DS/141, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
17. Dilbagh Rai, Aged- 59 Years,
S/o Late Kundan Lal,
Working as Fitter General in
O.F. Muradnagar,
R/o Gali No.10, Brij Vihar,
Muradnagar, Ghaziabad (U.P.)
18. Ombeer Singh, Aged- 59 Years,
S/o Sh. Rajpal Singh,
Working as Moulder in O.F. Muradnagar,
R/o Q.No.I/DS/50/555, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
19. Sibba Singh, Aged- 56 Years,
S/o Late Sarjeet Singh,
Working as Painter in O.F. Muradnagar,
R/o Vill. Kanoja, Post Muradnagar,
Ghaziabad (U.P.)
20. Abdul Rashed, Aged- 55 Years,
S/o Late Abdul Hamid,
Working as Mason in O.F. Muradnagar,
R/o H.No.556, Rawli Road,
Muradnagar, Ward-24, Ghaziabad (U.P.)
21. Om Pal Singh, Aged- 57 Years,
S/o Late Tek Chand,
Working as Chargeman (Tech) in
O.F. Muradnagar,
R/o Gali No.2, New Defence Colony,



Ward No.4, Muradnagar, Ghaziabad (U.P.)

22. Ashey Ram, Aged- 60 Years,
S/o Late Atar Singh,
Working as HTO in O.F. Muradnagar,
R/o Q.No.I/DS/451, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
23. Ravi Kumar, Aged- 57 Years,
S/o Late Gurbachan Singh,
Working as Chargeman (Tech) in
O.F. Muradnagar,
R/o Q.No.III/DS/33, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
24. Sushil Kumar, Aged- 43 Years,
S/o Sh. Balbeer Singh,
Working as CMD in O.F. Muradnagar,
R/o Q.No.I/DS/50/553, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
25. Tara Chand, Aged- 56 Years,
S/o Late Samay Singh,
Working as Chargeman (Tech.) in
O.F. Muradnagar,
R/o Q.No.III/QA/93, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
26. Prem Singh, Aged- 53 Years,
S/o Late Ranjeet Singh,
Working as Welder in O.F. Muradnagar,
R/o H.No.2349, Gali No.29, Brij Vihar,
Muradnagar, Ghaziabad (U.P.)
27. Shyam Lal, Aged- 55 Years,
S/o Late Budh Ram,
Working as Labourer in O.F. Muradnagar,
R/o Gali No.13, Ganga Vihar,
Muradnagar, Ghaziabad (U.P.)
28. Chatar Pal, Aged- 59 Years,
S/o Sh. Khubba Lal,
Working as Melter in O.F. Muradnagar,
R/o Gali No.8, Ganga Vihar,
Muradnagar, Ghaziabad (U.P.)



29. Divya Kumar, Aged- 59 Years,
S/o Late Ram Prakash,
Working as Mill-Wright Fitter in O.F. Muradnagar,
R/o Vill- Kanoja, Post Muradnagar,
Ghaziabad (U.P.)
30. Harendra Pal Singh, Aged- 56 Years,
S/o Sh. Mahander Singh,
Working as Fitter General in O.F. Muradnagar,
R/o Gali No.3, Shankar Vihar,
Muradnagar, Ghaziabad (U.P.)
31. Shashi Kumar, Aged- 63 Years,
S/o Late C.K. Kalia,
Retired to the post of Melter from O.F. Muradnagar,
R/o C/o Sh. P.R. Yadav,
Q.No.II/JJ/58, O.F. Estate, Muradnagar,
Ghaziabad (U.P.)
32. Ramesh Chand Mehta, Aged- 64 Years,
S/o Late Harbansh Lal,
Retired to the post of Melter from O.F. Muradnagar,
R/o C-199, Govindpuri, Modinagar,
Ghaziabad (U.P.)
33. Ganesh, Aged- 61 Years,
S/o Late Mamraj,
Retired to the post of Examiner from O.F. Muradnagar,
R/o Gali No.5C, H.No.446,
New Defence Colony, Muradnagar,
Ghaziabad (U.P.)
34. Jai Prakash, Aged- 64 Years,
S/o Late Kanhaya Lal,
Retired to the post of Chargeman (Tech)
From O.F. Muradnagar,
R/o Gali No.4, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
35. Ram Singh, Aged- 66 Years,
S/o Late Bal Karan Singh,
Retired to the post of Mill Wright Fitter
From O.F. Muradnagar,
R/o Gali No.4, new Defence Colony,
Muradnagar, Ghaziabad (U.P.)



36. Mani Ram, Aged- 64 Years,
S/o Late Har Gyan Singh,
Retired to the post of Mill-Wright Fitter
From O.F. Muradnagar,
R/o c/o Shri L.S. Verma, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
37. Satyabir, Aged- 60 Years,
S/o Late Chitter Singh,
Retired to the post of Melter from O.F. Muradnagar,
R/o Dagar Vihar Opp: O.F. Gate,
Muradnagar, Ghaziabad (U.P.)
38. Prakash Chand, Aged- 61 Years,
S/o Late Khajan Singh,
Retired to the post of Melter from O.F. Muradnagar,
R/o H.No.75, Gali No.3, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
39. Manohar Lal, Aged- 64 Years,
S/o Late Suraj Bhan,
Retired to the post of Chargeman (Tech)
From O.F. Muradnagar,
R/o c/o Shri Santosh Kumar,
Q.No.II/Q/88, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
40. Prakash, Aged- 61 Years,
S/o Late Mam Chand,
Retired to the post of Electro Platter
From O.F. Muradnagar,
R/o Vill. Basantpur Sainthly,
Muradnagar, Ghaziabad (U.P.)
41. Gaya Prasad, Aged- 47 Years,
S/o Late Jai Ram,
Working as Melter in O.F. Muradnagar,
R/o Q.No.I/DS/1/1, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
42. Jahoor, Aged- 58 Years,
S/o Sh. Mohd. Yaseen,
Working as Melter in O.F. Muradnagar,
R/o Q.No.III/QA/66, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)



43. Raj Pal Singh, Aged- 53 Years,
S/o Late Harswaroop,
Working as Sand/Shot Blaster in O.F. Muradnagar,
R/o H.No.426, Radhey Shyam Vihar,
Phase-I, Muradngar, Ghaziabad (U.P.)
44. Mahesh Kumar, Aged- 47 Years,
S/o Late Raghuber Dayal,
Working as Melter in O.F. Muradnagar,
R/o Gali No.9, H.No.426, Braj Vihar,
Muradnagar, Ghaziabad (U.P.)
45. Rajendra Singh, Aged- 54 Years,
S/o Late Godhu Ram,
Working as Fitter in O.F. Muradnagar,
R/o Vill. Khurampur, Post- Muradnagar,
Ghaziabad (U.P.)
46. Tara Chand, Aged- 59 Years,
S/o Late Nathu Singh,
Working as Fitter General in O.F. Muradnagar,
R/o Vill Muradgram Purpursi,
P.O. Muradngar, Ghaziabad (U.P.)
47. Sukhbir Singh, Aged- 57 Years,
S/o Late Nathu Singh,
Working as Painter in O.F. Muradnagar,
R/o Vill. Jalalpur, P.O. Muradngar,
Ghaziabad (U.P.)
48. Gajendra Singh, Aged- 44 Years,
S/o Late Madan Lal,
Working as S & S Blaster in O.F. Muradnagar,
R/o Q.No.II/DS/153, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
49. Bhagwat Singh, Aged- 59 Years,
S/o Late Bishambar
Working as Melter in O.F. Muradnagar,
R/o Q.No.II/Q/105, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
50. Samarth Sharma, Aged- 37 Years,
S/o Late V.K. Sharma,
Working as Melter in O.F. Muradnagar,
R/o Q.No.I/DS/44/509, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)



51. Rajveer Singh, Aged- 59 Years,
S/o Late Sher Singh,
Working as Chageman (Tech) in O.F. Muradnagar
R/o Vill. Ukharsi, P.O. Muradnagar,
Ghaziabad (U.P.)
52. Chander Pal, Aged- 58 Years,
S/o Late Kanhaiya Lal,
Working as Wireman in O.F. Muradnagar,
R/o Ward No.4, Gali No.4, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
53. Mukesh Kumar, Aged- 53 Years,
S/o Late Bakhtawar Singh,
Working as OMHE in O.F. Muradnagar,
R/o Vill. Naru, P.O. Dhaulri, Meerut (UP)
54. Tej Pal, Aged- 58 Years,
S/o Late Sagwa,
Working as Melter in O.F. Muradnagar,
R/o Vill Basantpur Sainthly,
Muradnagar, Ghaziabad (U.P.)
55. Padma Charan Biswal, Aged- 34 Years,
S/o Shri Ganesh Biswal,
Working as Moulder in O.F. Muradnagar,
R/o Q.No.I/DS/20/320, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
56. Swadesh Kumar, Aged- 44 Years,
S/o Sh. Adal Singh,
Working as Fitter General in O.F. Muradnagar,
R/o Q.No.II/Q/38/220, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
57. Chandra Bhan Paswan, Aged- 29 Years,
S/o Late Vijay Kumar Paswan,
Working as HTO in O.F. Muradnagar,
R/o Q.No.I/DS/96, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
58. Jaswant, Aged- 54 Years,
S/o Late Aman Singh,
Working as Painter in O.F. Muradnagar,
R/o Vill. Muradgram Purpursi,
P.O. Muradnagar, Ghaziabad (U.P.)



59. Brij Mohan Sharma, Aged- 30 Years,
S/o Shri Mahipal Singh,
Working as Machinist in O.F. Muradnagar,
R/o H.No.329, Gali No.10,
New Defence Colony, Muradnagar,
Ghaziabad (U.P.)
60. Prem Chand, Aged- 56 Years,
S/o Shri Kalu Ram,
Working as Fitter in O.F. Muradnagar,
R/o Q.No.II/Q/28/144, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
61. Jitender Kumar, Aged- 42 Years,
S/o Sh. Om Singh,
Working as Sand/Shot Blaster in O.F. Muradnagar,
R/o Q.No.II/JJ/12, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
62. Budh Prakash, Aged- 59 Years,
S/o Late Hari Singh,
Working as Turner in O.F. Muradnagar,
R/o Vill. Badka Arifpur, P.O. Jalalabad,
Muradnagar, Ghaziabad (U.P.)
63. Pradeep Kumar, Aged- 40 Years,
S/o Late Surender,
Working as Machinist in O.F. Muradnagar,
R/o Q.No.IV/PA/19, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
64. Atul Kumar Saxena, Aged- 39 Years,
S/o Late Krishna Kumar,
Working as Fitter in O.F. Muradnagar,
R/o Q.No.I/DS/51/563, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
65. Ravinder Kumar, Aged- 31 Years,
S/o Sh. Somdutt,
Working as Machinist in O.F. Muradnagar,
R/o Q.No.I/DS/29/389, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)



66. Braham Prakash, Aged- 53 Years,
S/o Late Sumera,
Working as Painter in O.F. Muradnagar,
R/o Q.No.I/DS/13/197, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
67. Gurmail Singh, Aged- 57 Years,
S/o Late Phuman Singh,
Working as Chargeman (Tech.) in O.F. Muradnagar,
R/o H.No.67, Gali No.3, Ward No.08,
New Defence Colony, Muradnagar,
Ghaziabad (U.P.)
68. Prem Chand Sharma, Aged- 53 Years,
S/o Sh. R.D. Sharma,
Working as Fitter in O.F. Muradnagar,
R/o II/Q/37/211, O.F. Estate, Muradnagar,
Ghaziabad (U.P.)
69. Surendra Pal, Aged- 37 Years,
S/o Late Bidha Singh
Working as Chargeman (Tech.) in O.F. Muradnagar,
R/o Q.No.II/DS/26, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
70. Chandra Shekhar Sharma, Aged- 56 Years,
S/o Late Ram Raksh Pal,
Working as Chargeman (Tech.) in O.F. Muradnagar,
R/o H.No.257, Gali No.8, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
71. Sudarshan Singh, Aged- 63 Years,
S/o Late Udit Narayan,
Retired to the post of Chargeman (Tech)
From O.F. Muradnagar,
R/o H.No.215, Gali No.7, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
72. Satya Pal Singh, Aged- 60 Years,
S/o Late Chandan,
Retired to the post of Melter from O.F. Muradnagar,
R/o Q.No.I/DS/05/77, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
73. Ram Chander, Aged- 63 Years,
S/o Late Ram Harsh,



Retired to the post of Chargeman
From O.F. Muradnagar,
R/o Q.No.I/DS/11/173, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)

74. Kishan Lal, Aged- 61 Years,
S/o Late Hulasi Ram,
Retired to the post of Turner
From O.F. Muradnagar,
R/o H.No.273, Rawali Road,
Near Degree College, Muradnagar
Ghaziabad (U.P.)
75. Ramesh Chand, Aged- 62 Years,
S/o Late Mangat Singh,
Retired to the post of Turner
From O.F. Muradnagar,
R/o Gali No.4, Bhupender Puri,
Modinagar, Ghaziabad (U.P.)
76. Sattu, Aged- 68 Years,
S/o Late Jaggu,
Retired to the post of
From O.F. Muradnagar,
R/o Vill- Asalat Nagar,
P.O. Muradnagar, Ghaziabad (U.P.)
77. Hari Singh, Aged- 60 Years,
S/o Late Bhikari Das,
Retired to the post of Fitter General
From O.F. Muradnagar,
R/o Q.No.I/DS/467, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
78. Subhash Chand, Aged- 60 Years,
S/o Late Doma Chauhan,
Retired to the post of Fitter General
From O.F. Muradnagar,
R/o Vill Basantpur Sainthly,
Muradnagar, Ghaziabad (U.P.)
79. Rishi Pal, Aged- 61 Years,
S/o Late Sher Singh
Retired to the post of
From O.F. Muradnagar,

R/o Gali No.14, Braj Vihar,



Muradnagar, Ghaziabad (U.P.)

80. Tilak Ram, Aged- 60 Years,
S/o Late Kaley Singh,
Retired to the post of Fitter General,
From O.F. Muradnagar,
R/o Q.No.I/DS/29/391, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
81. J.S. Grewal, Aged- 56 Years,
S/o Late Budh Singh,
Working as Chargeman (Tech.) in O.F. Muradnagar,
R/o Q.No.I/DS/489, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
82. Rajeev Kumar, Aged- 38 Years,
S/o Sh. S.C. Sharma,
Working as Pattern Maker in O.F. Muradnagar,
R/o Q.No.II/DS/139, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
83. Praveen Kumar, Aged- 42 Years,
S/o Late Vishnu Sharma,
Working as JWM in O.F. Muradnagar,
R/o Q.No.III/P/8, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
84. Sanjay Kumar Sharma, Aged- 41 Years,
S/o Late Parmanand Sharma,
Working as JWM in O.F. Muradnagar,
R/o Q.No.III/P/48, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
85. Suraj Pal, Aged- 36 Years,
S/o Sh. Hari Singh,
Working as Welder in O.F. Muradnagar,
R/o I/DS/707, O.F. Estate, Muradnagar,
Ghaziabad (U.P.)
86. Man Singh, Aged- 56 Years,
S/o Late Dharam Singh,
Working as Moulder in O.F. Muradnagar,
R/o Vill. Jalalpur, Raghunathpur,
Muradnagar, Ghaziabad (U.P.)
87. Vipin Kumar Sharma, Aged- 32 Years,



- S/o Sh. Harish Chandra Sharma,
Working as Chargeman (Tech.) in O.F. Muradnagar,
R/o Q.No.III/QA/92, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
88. Surjeet Singh, Aged- 42 Years,
S/o Shri Hari Singh,
Working as Machinist in O.F. Muradnagar,
R/o Q.No.I/DS/23/343, O.f. Estate,
Muradnagar, Ghaziabad (U.P.)
89. Raj Kumar, Aged- 44 Years,
S/o Shri Ratan Singh,
Working as Chargeman (Tech.) in O.F. Muradnagar,
R/o H.No.85, Gali No.4, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
90. Samay, Aged- 54 Years,
S/o Late Rasheed,
Working as Mason in O.F. Muradnagar,
R/o Q.No.II/DS/163, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
91. Shafiq Ahmad, Aged- 61 Years,
S/o Late Rafiq Ahmad,
Retired to the post of OMHE
From O.F. Muradnagar,
R/o Q.No.II/Q/35/197, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
92. Islam, Aged- 61 Years,
S/o Late Khacheru,
Retired to the post of Moulder
From O.F. Muradnagar,
R/o Gali No.5, Adarsh Colony,
Chappar Wali Maszid Ke Pas,
Muradnagar, Ghaziabad (U.P.)
93. Radhey Shyam, Aged- 60 Years,
S/o Late Hari Singh,
Retired to the post of Rigger
From O.F. Muradnagar,
R/o Vill. Muradgram Purpursi,

Muradnagar, Ghaziabad (U.P.)



94. Dharam Pal, Aged- 61 Years,
S/o Shri Mahander Singh,
Retired to the post of Moulder
From O.F. Muradnagar,
R/o Vill. Dheddha, P.O. Muradnagar,
Ghaziabad (U.P.)
95. Kanchi Singh, Aged- 60 Years,
S/o Late Ghasi Ram,
Retired to the post of Chargeman (Tech)
From O.F. Muradnagar,
R/o Gali No.10B, Braj Vihar, P.O. Muradnagar,
Ghaziabad (U.P.)
96. Dharam Pal, Aged- 60 Years,
S/o Sh. Charan Singh,
Retired to the post of Moulder
From O.F. Muradnagar,
R/o H.No.923, Hans Colony, Gali No.1,
Rawali Road, Muradnagar, Ghaziabad (U.P.)
97. Mahesh Prakash, Aged- 70 Years,
S/o Late Ram Chander,
Retired to the post of Fitter
From O.F. Muradnagar,
R/o Vill & P.O. Didoli, Muradnagar,
Ghaziabad (U.P.)
98. Davinder Pal, Aged- 61 Years,
S/o Late Jagat Singh
Retired to the post of Chargeman (Tech)
From O.F. Muradnagar,
R/o KH-70/UGF-5, Kavi Nagar,
Ghaziabad (U.P.)
99. Baleshwar Tyagi, Aged- 65 Years,
S/o Sheesh Ram Tyagi,
Retired to the post of
From O.F. Muradnagar,
R/o Gali No.2, New Defence Colony,
Muradnagar, Ghaziabad (U.P.)
100. Dhanpat Singh, Aged- 61 Years,
S/o Late Ganga Prasad,



Retired to the post of Melter
From O.F. Muradnagar,
R/o H.No.438, Gali No.5C,
New Defence Colony, Muradnagar,
Ghaziabad (U.P.)

101. Jitendra Kumar, Aged- 33 Years,
S/o Sh. Tek Ram,
Working as Examiner in O.F. Muradnagar,
R/o Vill & PO Surana, Muradnagar,
Ghaziabad (U.P.)
102. Dharmendra Kumar, Aged- 24 Years,
S/o Late Deep Chand,
Working as Labourer in O.F. Muradnagar,
R/o Mohalla- Sheetal Puri, Muradnagar,
Ghaziabad (U.P.)
103. Ashok, Aged- 56 Years,
S/o Late Ram Saran,
Working as Examiner in O.F. Muradnagar,
R/o Q.No.II/Q/32/170, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
104. Rohtash, Aged- 59 Years,
S/o Late Khajan,
Working as MTS in O.F. Muradnagar,
R/o Q.No.II/JJ/3, O.F. Estate,
Muradnagar, Ghaziabad (U.P.)
105. K.L. Aggarwal, Aged- 46 Years,
S/o Shri H.C. Aggarwal
Working as Chargeman (Tech.) in O.F. Muradnagar,
R/o C-281, Govindpuram, Ghaziabad (U.P.)
106. Ram Kishan, Aged- 67 Years,
S/o Late Shobha Ram,
Retired to the post of OMHE
From O.F. Muradnagar,
R/o H.No.220, Ward No.14,
New Defence Colony, Muradnagar,
Ghaziabad (U.P.)
- (By Advocate :Shri Yogesh Sharma)
-Applicants

Versus



1. Union of India through the Secretary,
Department of Defence Production,
Ministry of Defence, Govt. of India, New Delhi.
2. The Under Secretary to the Govt. of India,
Ministry of Defence, B Wing, Sena Bhawan,
New Delhi.
3. The Chairman,
Ordnance Factories Board,
10-A, Shaheed Khudiram Bose Road,
Kolkata-700001.
4. The Senior General Manager,
Ordnance Factory, Muradnagar,
Distt. Ghaziabad(UP)Respondents

(By Advocate :Shri R.K.Sharma with Shri Sunny Tomar)

Order (ORAL)

By Hon'ble Mr. Pradeep Kumar, Member (A)

Heard Shri Yogesh Sharma, counsel for the applicants and Shri R.K.Sharma, counsel for respondents.

2.0 The applicants herein are working on various posts in Ordnance Factory, Muradnagar. They plead that Night Duty Allowance was being paid to them. However, though 5th CPC recommendations came into force from 01.01.1996 and 6th CPC recommendation came into force from 01.01.2006, the rate of Night Duty Allowance was not revised and they were being paid at old rates as applicable prior to 5th CPC. Some of the similarly placed applicants approached the Madras Bench of



the Tribunal in OA No.1391/2010. The said OA was decided on

8.8.2012 with the following directions:-

“this is a fit case to direct the respondents to calculate and pay Night Duty Allowance payable to industrial employees working in the 4th respondent factory on the basis of the revised basic pay and allowances drawn by them with effect from 01.01.1996 and 01.01.2006 as per the 5th and 6th Pay Commission’s recommendations respectively along with arrears with effect from 1.1.1996. The respondents are further directed to complete the entire exercise within a period of three months from the date of receipt of a copy of this order. In the result, the O.A. is allowed. No order as to costs.”

3.0 The applicants plead that these directions were not implemented and the petitioners therein were not paid the revised rate of Night Duty Allowance w.e.f. 01.01.1996.

4.0 Subsequently, some other similarly placed petitioners approached the Mumbai Bench of the Tribunal in OA No.2017/2014, which was decided vide order dated 17.01.2014. The Tribunal relied upon the judgment passed by Madras Bench (para 2 supra). The operative part of the directions reads as under:-

“5. In view of the above, the competent authority is directed to consider the said representations of the applicants in the light of the judgment passed by Jodhpur as well as Madras Bench within 12 weeks from the date of receipt of a copy of this order and pass a reasoned and speaking order in accordance with law.”



5.0 Subsequently, it appears that many similarly placed employees, have preferred several OAs before different benches of the Tribunal.

Accordingly, a policy was framed and directives were issued by Respondents on 08.05.2015. As per these directives, the Night Duty Allowance was revised and was made applicable w.e.f. 01.04.2007. The respondents plead that these rates have uniformly been paid along with the payment of arrears to the concerned employees all across India in all the Ordnance Factories.

6.0 The applicants in the instant OA are aggrieved with the rates ought to have been revised from 01.01.1996 as well as w.e.f. 01.01.2006 with all the consequential benefits and arrears paid and they preferred the instant OA.

It is pleaded that policy directives issued on 08.05.2015 do not refer to the directions given by the Madras Bench of the Tribunal and it only refers to decision of the Jodhpur Bench in OA No.34/2008 passed on 05.11.2009 which was subsequently upheld even at the level of Hon'ble Apex Court.

7.0 Per contra, the respondents have filed additional affidavit on 27.03.2017 wherein a copy of order dated 18.01.2017 was annexed which explained the entire situation. It was brought out that while Chennai Bench judgment was



received the policy for Night Duty Allowance was still not framed. Accordingly, for the petitioners therein, the directions of Chennai Bench were implemented. However, subsequently, uniform policy has been framed and issued on 08.05.2015 and it has been implemented all across India w.e.f. 01.04.2007 onwards. It was pleaded that the present OA was not maintainable and the same be dismissed.

8.0 The matter was heard at length. Shri Yogesh Sharma, learned counsel represented the case of the applicants and Shri R.K. Sharma, learned counsel represented the case of the respondents.

9.0 The judgment of the Jodhpur Bench in OA No.34/2008 delivered on 05.11.2009 (Ram Kumar and Ors.) which was upheld even at the level of the Hon'ble Apex Court in SLP No.8276/2012, was taken into account and the uniform policy was framed and issued on 08.05.2015. This policy indicates that the rates were revised and made applicable w.e.f. 01.04.2007 across the board. This entire rationale has been explained in the letter dated 18.02.2017 also. The operative part of this letter is reproduced as under :-

“With reference to the above, it is indicated that consequent to filing of a number of court cases at various places, the matter regarding payment of NDA at revised rate w.e.f.01.01.1996 was taken up with MoD for a decision. Now, MoD vide I.D. No.52(ii)/2013-



D(Estt./NG) dated 16.01.2017 has intimated that the policy with regard to payment of NDA to the employees in line with the **order of Hon'ble CAT, jodhpur order dates 05.11.2009 in OA No.34/2008 and order dated 08.08.2012 of Hon'ble CAT Madras in OA No.1391/2010** has been framed and order to this effect have already been issued on 08.05.2015. As per the said policy, the NDA is to be paid in accordance with the revised salary as on 01.01.2006 and arrears to the effect to be paid w.e.f.01.04.2007. A copy of above MoD I.D is forwarded for the purpose of reference.

02. In this regard it may further be indicated that the direction dates 08.08.2012 of Hon'ble CAT Madras in OA No.1391/2010, to which the applicants have cited as a reference in favour of granting NDA to them accordingly, was passed when the matter of revision of NDA was under consideration of Govt. and in the meantime the said direction has been implemented in respect of the petitioners. Later on, the matter was finalised and Govt. Order was issued on 08.05.2015 revising the NDA w.e.f.01.01.2006. The same is being followed for all employees as on date."

(Emphasis supplied)

It is clear from above that various judicial pronouncements were taken into account, while policy dated 08.05.2015 was framed.

10.0 Merely because Chennai Bench directions were implemented for petitioners therein w.e.f. 01.01.1996, does not mean their implementation for all others. Further, a uniform policy has been framed and implemented for all relevant employees by revising the rate from 01.04.2007.



11.0 At this stage, it is relevant to reproduce the observations made by the Hon'ble Apex Court in ***Union of India v. P.V. Hariharan***, (1997) 3 SCC 568, as follows:

"Before parting with appeal, we feel impelled to make a few observations. Over the past few weeks, we have come across several matters decided by Administrative Tribunals on the question of pay scales. We have noticed that quite often the Tribunals are interfering with pay scales without proper reasons and without being conscious of the fact that fixation of pay is not their function. It is the function of the Government which normally acts on the recommendations of a pay Commission. Change of Pay scale of a category has cascading effect. Several other categories similarly situated, as well as those situated above the below, put forward their claims on the basis of such change. The Tribunal should realise that interfering with the prescribed pay scales is a serious matter. the pay Commission, which goes into the problem at great depth and happens to have a full picture before it, is the proper authority to decide upon this issue. Very often, the doctrine of "equal pay for equal work" is all being misunderstood and mis-applied, freely revising and enhancing the pay scales across the board. We hope and trust that the Tribunals will exercise due restraint in the matter. **Unless a clear case of hostile discrimination is made out, there would be no justification for interfering with the fixation of pay scales.** We have come across orders passed by single Members and that too quite often Administrative Members, allowing such claims. These orders have a serious impact on the public exchequer too. it would be in the fitness of the things if all matters relating to pay Scales, I.E. matters asking for a higher pay scale or an enhanced pay scale, as the case may be on one or the other ground, are heard by a Bench comprising at least one Judicial Member. The Chairman of the Central Administrative Tribunal and the Chairmen of the State Administrative Tribunals shall consider issuing appropriate instructions in the matter."

(Emphasis supplied)



11.1 The Tribunal does not find any hostile discrimination in the instant case. Hence, no interference is called for.

12.0 In view of the foregoing, OA is without any basis and merit. The Tribunal does not find it necessary to interfere. The OA is dismissed being devoid of merits. No order as to costs.

(PRADEEP KUMAR)
Member (A)

(JUSTICE VIJAY LAKSHMI)
Member (J)

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