

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

New Delhi, dated this the 20th December, 1999

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. O.A. No. 813 of 1999

Late Shri R.P. Bakshi (deceased) through
Smt. Raj Rani (Wife & legal heir),
R/o House No. 58/924, Baldeo Nagar,
Ambala City. ... Applicant

Versus

1. Union of India through
the Secretary,
Ministry of Defence,
New Delhi.
2. Chief of Air Staff,
Vayu Bhawan,
New Delhi. ... Respondents

2. O.A. No. 814 of 1999

1. Shri Lekh Raj,
S/o late Shri Jiya Lal,
R/o House No. 1175, Bengali Mohalla,
Ambala Cantt.
2. Jagdip Singh
S/o Shri Kartar Singh,
R/o House No. 326, Phase IV,
Mohali.
3. Shri B.B. Poddar,
S/o Shri Bishamber Poddar,
C/o Civil Admn. No. 3,
BRD Air Force Station,
Chandigarh. Applicants

Versus

1. Union of India through
the Secretary,
Ministry of Defence, New Delhi.
2. Chief of Air Staff,
Vayu Bhawan,
New Delhi. ... Respondents

3. O.A. No. 815 of 1999

1. Shri C.B. Gupta,
S/o Late Shri G.P. Gupta,
R/o 553, B.C. Bazar,
Ambala Cantt.

2. Shri Kuldeep Singh
S/o late Shri Prem Singh,
R/o 24, Kanshi Nagar,
Model Town, Ambala City.

3. Shri Pran Nath,
S/o late Shri Ram Nath,
R/o 122, Sector 55,
Chandigarh.

4. Shri Rajinder Kumar,
S/o late Shri Acharaj Ram,
R/o 725, Housing Board,
Sector 7, Ambala City.

... Applicants

Versus

1. Union of India through
the Secretary,
Ministry of Defence,
New Delhi.

2. Chief of Air Staff,
Vayu Bhawan,
New Delhi.

... Respondents

By Advocates: Shri S.K. Bisaria for applicants
in all the O.As
None appeared for Respondents

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

As these three O.As involve common questions of law and fact they are being disposed of by this common order.

2. Applicants seek a direction to Respondents to correct their seniority in the grade of Clerk LDU with all consequential benefits in terms of the Tribunal's order dated 15.2.96 in T.A. No. 43/91 and order dated 5.11.97 in O.A. No. 587/97 and O.A. No. 2028/96.

3. We have heard applicants' counsel Shri Bisaria. None appeared for Respondents even on the second call.

4. We note that no reply has been filed by the Respondents in these O.As despite several opportunities being granted to them.

5. On the last date i.e. on 11.11.99 Respondents' counsel Shri Rajinder Nischal had stated that applicants' grievances were under Respondents' active consideration but applicants' counsel Shri Bisaria states that applicants have not been apprised of the decision taken by Respondents.

6. In this connection, Shri Bisaria has invited our attention to the Tribunal's order dated 5.11.97 in OA No.587/97 and OA No.2028/96 wherein it was observed that in the interest of justice Respondents may on their own consider the revision of seniority of all the similarly placed employees without requiring each of them to come to the Tribunal by a separate petition. Shri Bisaria states that applicants are identically placed as the applicants in OA No.587/97 and OA No.2028/96.

7. In the light of the above, these OAs are disposed of with a direction to Respondents to take a final decision in the matter in accordance with rules and instructions within three months from the date of receipt of a copy of this order. While doing so they shall not lose sight of the aforesaid observation made by the Tribunal in its order dated 5.11.97. In the event respondents conclude that applicants are not covered by the aforesaid order dated 5.11.97 they shall record detailed reasons for coming to such conclusions. After applicants' seniority is revised, they shall be entitled to such consequential benefits as are admissible in accordance with rules and instructions.

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8. These OAs stand disposed of accordingly.
No costs.

9. Let a copy of this order be placed in each
OA record.

Lakshmi Swaminathan
(MRS. LAKSHMI SWAMINATHAN)
MEMBER(J)

S. R. Adige
(S. R. ADIGE)
VICE CHAIRMAN (A).

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