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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O. A. NO. 1187/1998

New Delhi this the 29th day of May, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRIMATI SHANTA SHAstry, MEMBER (A)

1. Amar Singh S/o Shri Janardhan
R/o 115, Akash Dashan
Ajit MV Phase-I, Delhi.
2. Madhu Sudan Gupta S/o Shri Ramesh Gupta
R/o B-8/15, Sadatpur Colony,
Delhi-94.
3. Kailash Chander Papnai
S/o Sh. Chintamani Papnai
R/o 4/319 Khichripur Colony,
Delhi-110091.
4. Veer Singh
S/o Late Shri Raghuvir Singh
R/o B -37/3, Kondli,
Delhi-96.
5. Geeta Mathur D/o Late Shri Dina Nath
R/o 29, Schedule 'B'
President Estate,
Rashtrapati Bhavan,
New Delhi-4.
6. Bhuvan Giri Goswami S/o Shri Ram Giri
R/o C-5/10
Yamuna Vihar, Delhi-53.
7. Sunil Kumar Sharma
S/o Shri Kailash Nath Sharma
R/o 127/ B, Pocket F,
Mayur Vihar Phase-II,
Delhi-110091.
8. Usha Kiran Jaiswal
D/o Shri S.K. Jaiswal
Production Assistant
Doordarshan Kendra
Delhi.
9. Krishan Mohan S/o Late Shri G.P. Srivastava
R/o 657, Gh. 587
Sayeed Nagloi
Paschim Vihar, New Delhi.
10. Asha Bagat W/o Shri Hans Raj
Production Assistant,
Doordarshan Kendra,
New Delhi.
11. Devender Kumar Saini
Production Assistant
Doordarshan Kendra,
Delhi.

12. Atul Pathak S/o Shri T.P. Pathak
R/o C.4 H/56, Janakpuri
Delhi-110005.
13. Kanchan Saxena D/o Shri R.S. Saxena
R/o AN, 25C, Shalimar Bagh
Delhi-52.
14. Deepshikha Sharma D/o Shri H.R. Sharma
R/o H-195, Kali Bari Maarg,
New Delhi-1.
15. Pradeep Kumar S/o Banwari Lal
Production Assistant
Doordarshan Kendra
New Delhi.
16. Vijay Lakshmi Chopra W/o Narendra Chopra
R/o I-1, Parvana Vihar
Sector 9, Near D.C. Chowk, Rohini.
17. Yogendra Bahadur S/o Late Shri Jang Bahadur Lal
R/o 206 A,
Lahore Shastri Nagar, Delhi-31.
18. Veena Sehgal W/o Shri Satish Sehgal
R/o DIA/ 118, Janakpuri,
New Delhi.
19. G.C. Khurana S/o Shri S.R. Khurana
Production Assistant
Doordarshan Kendra
New Delhi.
20. Usha Goel W/o Shri Subhash Goel
R/o 16-D, CC Block,
Shalimar Bagh, Delhi.
21. Seema Sharma W/o Shri Rajiv Sharma
R/o Flat No. 143
Vidhya Vihar Apartment
Plot No. 48, Sector-9, Rohini.
22. Nisha Saxena D/o Shri R.N. Saxena
S/o Shri R.N. Saxena
R/o Pocket F, 40 A, MIG Flat
Ground Floor, GTB Enclave
Opp. GTB Hospital, Delhi.
23. Seema Verma W/o Shri Sarvajeet Verma
R/o 469, DDA Flats
Lado Sarai, New Delhi-30.
24. Sanjay Kumar Jain S/o Shri S.K. Jain
R/o 29/23 Shakti Nagar
Delhi-7.
25. Meenu Dua W/o Shri Narender Dua
R/o 257 Dhakka, Near Kingsway Camp
Delhi-9.
26. Sunil Kumar Bhardwaj
61A, J-Extention Laxmi Nagar,
Dehi. Applicants

(By Shri A.K. Bhardwaj, Advocate)

-Versus-

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Shastri Bhawan, New Delhi-110002.
2. The Director General Government of India Doordarshan, Mandi House, New Delhi.
3. The Director, Government of India Doordarshan Kendra Parliament Street New Delhi.
4. Shri Vijay Kumar Sharma
S/o Shri Kishan Kumar Sharma
R/o 4602/1, Ragharpura, Gali No.51
Karol Bagh, New Delhi-5.
5. Pradeep Kumar Satija
S/o Shri D.N.Satija
R/o 67-F Pocket A-1, Phase-III
Mayur Vihar
Delhi. Respondents

(None for the respondents)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

MA No.1222/98 for joining together in a single OA is allowed.

2. Respondents and their Advocates are absent. We have heard the learned counsel Shri A.K.Bhardwaj, appearing on behalf of the applicants. We have proceeded to dispose of the OA on merits in terms of Rule 16 of the Central Administrative Tribunal (Procedure) Rules, 1987 in the absence of the respondents and their Advocates.

3. Applicants have been engaged by the respondents as Casual Production Assistants with effect from the dates mentioned against their names in



para 4.2 of the OA. Their services have been regularised with effect from the dates mentioned against their names in para 4.6 of the OA.

4. Short grievance that has been raised in the present OA is that persons who are junior to the applicants have been regularised prior to them. Whereas Aforesaid juniors have been regularised with effect from 21.3.1994; all that is claimed by the present OA is to ante-date their regularisation in line with their juniors. According to the applicants, they are entitled to the pay scale of Rs.1400-2600 with effect from 21.3.1994 i.e the date from which their juniors have been granted the said scale. In our judgement, the prayer made is just and proper and deserves to be granted. Present OA, in the circumstances is allowed in terms of the prayer clauses (a), (b) & (c) which are as under:-

- "(a) To mandate the respondents (1-3) to extend the benefit of the Order No.19 (5) 96- S/ 19089 dated 9.10.1996 to applicants also (Annexure A-1) granting them the pay scale of Rs.1400-2600 w.e.f. 21.3.94 by ante-dating their regularisation as production assistant.
- (b) To direct the respondents to fix the seniority of the applicants vis-a-vis respondents 4 & 5 correctly, as per eligibility list dt. Jan. 1995.
- (c) To declare the act of the respondents in regularising the junior persons from an earlier date and not regularising the applicants from said date as discriminatory & arbitrary."



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5. Present order shall be implemented by the respondents within a period of three months from the date of its service upon them. In the circumstances, there will be no order as to costs.

Shanta S

(Shanta Shastray)
Member (A)

sns

Ashok Agarwal

(Ashok Agarwal)
Chairman