

(2) (10)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A. No. 1487/98

New Delhi: this the 30th day of August, 1999.

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

HON'BLE MR. KULDIP SINGH MEMBER (J).

All India Central Govt. Canteen Employees Association through

General Secretary
(Vidhyanand Sharma),
R/o F-20, Lado Sarai,
New Delhi.

and

22 others (as per memo of parties) ... Applicants.
(IN PERSON)

Versus

Union of India through
Secretary,
Dept. of Personnel & Training
Pension & Public grievances,
Govt. of India,
North Block,
New Delhi -0001.

2. Chairman,
Vth Central Pay Commission,
Anomalies Committee,
through Secretary,
Expenditure,
Ministry of Finance,
North Block,
New Delhi-0001. Respondents.

(By Advocate: Shri A. K. Bhardwaj)

ORDER

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

In this OA filed by the All India Central Govt. Canteen Employees Association through its General Secretary Shri Vidhyanand Sharma and 22 others

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various reliefs have been sought for contained in para 8.

2. We have heard applicant Shri Vidyayanand Sharma who argued the case in person and Shri A.K. Bhardwaj for respondents.

3. Shri Bhardwaj has taken preliminary the objections that the applicant Association is represented by non-Govt. servant namely Shri V.N. Sharma; that applicant used abusive language in the OA; that the officers of different ranks/ posts working in different offices having no common interest, have joined in this OA which suffers from mis-joinder of parties; that the multiple reliefs have been sought for in the OA and therefore the OA is hit by Rule 10 CAT (Procedure) Rules; and that the OA is barred by limitation; that the OA raises an issue which has already been decided by the Hon'ble Court and hence it is barred by res-judicata.

4. Without considering it necessary to discuss the other preliminary objections raised by Shri Bhardwaj, a glance at the reliefs prayed for in para 8 of the OA, makes it clear that multiple reliefs have been prayed for which are not consequential to each other and hence the OA is squarely hit by Rule 10 CAT (Procedure) Rules.

5. In this connection, Shri Sharma states that the only relief prayed for is to refer the case for arbitration as applicants' grievances have not been considered by the Pay Commission.

6. No order of the Tribunal are required to refer any case for arbitration.

7. If applicants are seeking arbitration in regard to their claims, it is open to them to approach the competent forum for the purpose in accordance with established procedures.

8. The OA is dismissed. No costs.

Kul Singh
(KUL DIP SINGH)
MEMBER(J)

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

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