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Central Administrative Tribunal, Principal Bench

O.A.No.969/95
MA No.280/97 & MA No.449/97
with
O.A.No.975/95
MA No.286/97 & MA No.380/97

Hon'ble Smt. Lakshmi Swaminathan, Member(J)
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 25th day of July, 1997

O.A.No.969/95

1. Shri Kishan Swaroop
s/o Shri Ramji Lal
r/o A-69, North West
Vinod Nagar
Delhi - 110 092.
2. Shri Dev Swaroop
s/o Shri Ramji Lal
r/o H.No.521/36, Gali No.18
Vijay Park
Delhi - 110 053.
3. Shri Om Prakash
s/o Shri Moti Lal
r/o H.No.WB-5, Gali No.1
School Block, Shakarpur
Delhi - 110 092.
4. Shri Rehtash
s/o Sahab Singh
r/o H.No.C-8/26, Dayalpur
Gokulpuri
Delhi - 92.
5. Shri Green Singh
s/o Shri Bhagwat Rai
r/o P.G. Camp, Lodi Road
New Delhi - 110 003.
6. Shri Jagdish Kumar
s/o Shri Gyan Dass
r/o Qr. No.861, Type-2
Sector - 2, Sadik Nagar
New Delhi.
7. Shri Kailash Kumar Sharma
s/o Shri Roop Ram Sharma
r/o House No.C-381
Ganga Vihar, Delhi - 110 031. ... Applicants

(By Shri J.C.Madan, Advocate)

Vs.

1. Lt. Governor
Govt. of National Capital Territory of Delhi
Raj Bhawan
Delhi.
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2. Director General of Guards
& Civil Defence
C.T.I. Complex, Raja Garden
New Delhi - 110 027.
3. Shri W. Chauhan, JSO
Office of Director General of
Home Guards
C.T.I. Complex
Raja Garden
New Delhi - 110 027.

... Respondents

(By Advocate - None)

O.A.No.975/95:

1. Shri Bashishta Singh
s/o Shri Bachu Singh
r/o 129, Gautampuri-II
Home Guard, I.T.O.
New Delhi - 2.
2. Shri Natha Singh
s/o Raghuvir Singh
r/o 973/A, Lal Kuwa
M.B.Road Badarpur
New Delhi - 44.
3. Shri Raghu Nath Singh
s/o Shri Kaptan Singh
r/o 26/457, Trilokpuri
New Delhi - 91.
4. Shri Vinod Kumar
s/o Shri Badan Singh
Home Guard
r/o B-4/23, Shiv Garden Sadatpur
Karawal Nagar Road
Delhi - 94.
5. Shri Brij Pal Singh
s/o Shri Jai Singh
Home Guard
R/o B-4/23, Shiv Garden
Sadatpur
New Delhi - 94.
6. Shri Chander Pal
s/o Shri Babu Ram
Home Guard
r/o B/116, Shiv Mandir
Wazirabad, Delhi - 54.
7. Shri Sanjay Kumar
s/o Shri Samay Singh
Home Guard
r/o 1/3023, Mandoli Road
Gali No.7, Ram Nagar
Sahadara, Delhi.
8. Shri Dhani Ram
s/o Shri Rameshwar Dutt
Home Guard,

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R/o 14/294, Dhashinpur
Dr. Ambadkar Nagar
Delhi.

9. Shri Vinod Kumar
s/o Shri Sita Ram
Home Guard
r/o R-459, Dr. Ambedkar Nagar
New Delhi.
10. Shri Pramod Kumar
s/o Krishan Gopal Bappai
Home Guard
r/o H.No.344, Sector 5
Pushp Vihar
New Delhi.
11. Shri Ram Lal Dubey
s/o Shri Hariday Narayan Dubey
Home Guard
R/o B-II/57, Madangir
New Delhi - 62.
12. Shri Daya Ram
s/o Shri Shankar Rai
Home Guard
T.Huts, Sewa Nagar
Near Kotla Mubarakpur Road
New Delhi - 3.
13. Shri Gamandi Singh
s/o Shri Ram Bool Singh
Home Guard
r/o Santi Nagar, Loni.
14. Shri Shish Pal Sharma
s/o Shri Bhagwati Prasad
Home Guard
r/o Mithapur Bistas
Akuta Colony
New Delhi - 44.
15. Shri Dilawar Singh
s/o Hoshiair Singh
Home Guard
r/o H.No.1524, Kalyan Garh
Block No.16
Village Khicharipur
Delhi - 91.

... Applicants

(By Shri J.C.Madan, Advocate)

Vs.

1. Lt. Governor
National Capital Govt. of Delhi
Delhi.
2. Director General of Home Guards
& Civil Defence
Raja Gardens
New Delhi - 110 027.

... Respondents

(By Advocate - None)

Ys/

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

These two OAs are disposed of by a common order with the consent of the parties, as the facts and reliefs prayed for in both the OAs (O.A.No.969/95 and O.A.No.975/95) are similar and involve a similar point of law.

2. The learned counsel for the applicants fairly submits that the reliefs claimed in these two applications are similar to the other applications which have been disposed of by the Tribunal in Krishna Kumar and Others Vs. Govt. of N.C.T., Delhi (O.A.No.188/95 decided on 1.6.1995) together with connected cases and states that they could therefore be disposed of on the same lines. However, we note that one of the main prayers in these two applications is to issue a direction restraining the respondents from forcing the applicants to sign the declaration in pursuance of the order dated 10.2.1981. We have been informed by the Departmental Representative, Shri S.K.Tanwar, JDSO who is present in Court that they are no longer insisting on the applicants signing the declaration form which has already been taken into account in the aforesaid applications in Krishna Kumar's case. Learned counsel for the applicants has also confirmed that the applicants are continuing as Home Guards till date.

3. In view of the above facts and circumstances of the case, we are of the considered view that there is no further issue for adjudication in the OAs as well as the MAs as the reliefs prayed for have already become infructuous. OAs are disposed of accordingly Parties to bear their own costs.

R.K. Ahuja
(R.K. AHUJA)
MEMBER (A)

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

/rao/