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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 2359/97
T.A. No.

199

DATE OF DECISION 21.1.98

Sh. Vishwanathan Kartha and ors.

Petitioner

Sh. A. K. Bhardwaj

Advocate for the Petitioner(s)

Versus

UOI and others

Respondent

Sh. Madhav Panikar

Advocate for the Respondent

CORAM

The Hon'ble Shri S.R.Adige, Vice Chairman(A)

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

1. To be referred to the Reporter or not?

2. Whether it needs to be circulated to other Benches of the Tribunal

Adige
(S.R. Adige)

Vice Chairman(A)

(S.A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA No 2359/97
MA 2313/97

New Delhi this the 21th day of January, 1998.

**Hon'ble Shri S.R.Adige, Vice Chairman(A)
Hon'ble Smt.Lakshmi Swaminathan, Member(J)**

In the mater of

1. Sh.Vishwanathan Kartha
S/o Sh.T.N.P.Pillain,
Stenographer,
HQ Technical Group, EME, Delhi Cantt.
2. Sh.Ramesh Chander
S/o Late Shri Chander Ballabh,
HQ Technical Group,
EME, Delhi Cantt.
3. Smt.V.P.Thankamani Amma
W/O Sh.G.Rameshan,
HQ Technical Group, EME, Delhi Cantt,
4. Sh.R.V.Ramana Murty,
S/O Sh.R.Kameshwara Rao,
Stenographer, HQ Tech.Group,
EME Cantt.
5. Sh.T.Parthasarthy,
S/O Sh.T.Gopala Rao,
HQ Technial Group, EME,
Delhi Cantt.
6. Sh.P.V.B.Sharma,
S/O Sh.P.Suryanarayana,
HQ Technical Group, EME, Delhi Cantt.
7. Ms Sumitra Kundra W/o Sh.S.K.Kundra,
HQ Technical Group, EME,
Delhi Cantt.
8. Smt.Usha Taneja,
S/O Sh.Lekh Raj
R/O 505, Army Base Workshop,
Delhi Cantt.
9. Sh.T.M.Abraham
S/O Late Sh.MMathan,
R/O 505, Army Base Workshop,
Delhi Cantt.10
10. Sh.N.H.Balasubramaniam
S/O Hony.Capt.C.A.Hariharan(Late),
R/O 505, Army Base Workshop,
Delhi Cantt.
11. Sh.Venugopalan S/o late Sh.Kunjan Nair,
R/O 505, Army Base Workshop,
Delhi Cantt.

12. Sh. Jeevan Kumar
 S/o Late Sh. Jai Gopal,
 505, Army Base Workshop,
 Delhi Cantt.

13. Sh. Gurbir Singh,
 S/o Late S. Sarban Singh,
 HQ Tech. Group, EME,
 Delhi Cantt.

14. Sh. R.N. Arora,
 S/O Sh. P.D. Arora,
 HQ Technical Group, EME, Delhi Cantt.

15. Mrs Usha Chawla,
 W/O Mr. S.P. Chawla,
 HQ Technical Group, EME, Delhi Cantt.

.. Applicants

(By Advocate Sh.A.K. Bhardwaj)

VS

1. Union of India
 Through
 The Secretary,
 Ministry of Defence,
 South Block, New Delhi

2. The Director General,
 EME(EME-Civ.),
 Directorate General of EME(Civ.),
 MGO's Branch, Army Headquarters,
 DHQ, PO, New Delhi.

3. The Secretary,
 Govt. of India, M/O Personnel,
 Public Grievances and Pensions,
 Department of Personnel and Trg.
 Shastri Bhawan, New Delhi.

.. Respondents

(By Advocate Shri Madhav Panikar)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman(A))

The applicants are aggrieved by the act of the respondents in not giving them the benefit of the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training OM dated 6.2.1989.

2. We have heard Shri Bhardwaj, counsel for the applicants and Shri Madhav Panikar, counsel for the respondents.

3. Shri Bhardwaj has invited our attention to the Tribunal's judgment dated 18.11.96 in OA 2019/96 (All India MES Clerical Cadre Association through Sh. Dinesh Chandra Bahukhandi v. UOI and others), wherein direction had been given to the respondents to dispose of representation of those applicants dated 10.6.96 in the background of certain earlier judgments.

4. Shri Bhardwaj states that the applicants in the present case are also identically placed, and he will be satisfied if the OA is disposed of with a direction to the respondents to dispose of applicant No 1's representation dated 7.2.97 in the background of the aforesaid order dated 18.11.96, and extend the benefits flowing from that decision to the other applicants also.

5. This prayer is not opposed by the respondents counsel, Shri Panikar, and this OA is accordingly disposed of with a direction to the respondents to dispose of applicant No 1's representation dated 7.2.97 by a detailed speaking and reasoned order in accordance with the rules/instructions within three months from the date of receipt of a copy of this order, in the background of judgment dated 8.8.96 in OA **1023/93 P.M. Haridas and Others v. Union of India and Ors.** and connected cases delivered by the CAT Bombay Bench against which SLP 1126/96 filed in the Hon'ble Supreme Court was also dismissed vide their order dated 2.4.96.

6. It is made clear that whatever benefits, flow from the respondents decision in regard to applicant No 1's representation

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dated 7.2.97 should also be made applicable to the other applicants in this OA provided they have also filed representations and are identically placed.

7. The OA already stands accordingly disposed of. No costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

S.R. Adige
(S.R. Adige)
Vice Chairman(A)

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