Central Administrative Tribunal
Principal Bench: New Delhi

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OA 587/97 and OA 2028/96

New Delhi, this the 5th day of November,1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Shri N.Sahu,Member (A)

OA 587/97

Trilochan Singh
s/o Shri Tara Singh,
r/o 1/95, Sadar Bazar,
Delhi Cantt,
Delhi. ....Petitioner

(By Advocate: Shri S.K.Bisaria)

Vs.

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

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

3. JDPC,
Air HQ (VB),
New Delhi. Respondents

(By Advocate: Shri R.V.Sinha)

OA No. 2028/96

M.H.Pala,
s/o Shri Hari Lal Pala,
r/o Q.No. 2396/201, Sector VI,
C.G.S.Colony, Autohills,
Bombay. ....Applicant
(By Advocate: Shri S.K. Bisaria)

Vs.

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

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

3. Air Officer Commanding,
Air Force Station,
New Delhi. Respondents

(By Advocate: Shri R.V.Sinha)

O R D E R (ORAL)

Dr. Jose P. Verghese -

The applicants in these OAs have sought a direction from this court to grant seniority in favour of the petitioners as the same relief has been granted by this court in two other cases.

This court by an order dated 15.12.1996 passed in TA No. 43/91 has directed the respondents to revise the seniority declaring that the petitioner therein is entitled to seniority w.e.f. 11.5.1961. Thereafter by another order dated 23.7.1997 passed in OA No. 1640/97, this court has allowed the relief to the petitioner in the said case on the basis of the previous decision. The latter one filed in the year 1997 was subject to an objection as to limitation,yet this court has decided to grant the same relief as has been given to the petitioners in TA 43/91 for the reasons stated in the said order. The respondents after notice has also filed a reply and submitted that the petitions are to be rejected on the ground of laches.

We have considered the entire aspect of the case and in view of the two orders passed by this court as stated above and for the reasons stated therein, we are of the opinion that the respondents while reviewing the case of the petitioners therein, shall also review the case of the petitioners herein alongwith them. We would like to observe that it may be in the interest of justice that the respondents may on their own consider the revision of seniority of all the similarly placed employees without

requiring each of them to come to this court by a separate petition and we consider that the respondents may take this observation on the ground of public policy.

The counsel for the respondents submitted that the petitioner in OA No. 587/97 has been a proforma party in TA 43/91. We still feel that the right of the petitioner herein will have to be reconsidered by the respondents in the light of the judgement given in TA 43/91.

With this, these two OAs are allowed to the extent stated above.

(N.Sahu)
Member (A)

(Dr.Jose P. Verghese)
Vice-Chairman (J)

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