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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

- 1) O.A. NO. 2060/94
M.A. NO. 3507/94
- 2) O.A. NO. 2277/94
- 3) O.A. NO. 2076/93

New Delhi this the 22nd day of December, 1995.

HON'BLE SHRI N. V. KRISHNAN, ACTING CHAIRMAN
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

- 1) O.A. NO. 2060/94
M.A. NO. 3507/94

1. K. K. Singhal S/O N. C. Gupta,
Senior Scientific Assistant,
Scientific Analysis Group,
Metcalf House,
Delhi-110054.
2. S. N. Arora S/O Laxman Dass,
Senior Scientific Assistant,
Directorate of Man Power
Development, Ministry of
Defence, South Block,
New Delhi.
3. R. P. Singh S/O Sardar H. Singh,
Senior Scientific Assistant,
Scientific Analysis Group,
Metcalf House,
Delhi-110054.
4. P. K. Dabral S/O D. N. Dabral,
Senior Scientific Assistant,
Dte. of Planning & Resource
Management, 'B' Wing,
Sena Bhawan, New Delhi.
5. T. Sekhar S/O S. Thirumalai,
Senior Scientific Assistant,
Dte. of Armament, Ministry of
Defence, 'B' Wing, Sena Bhawan,
New Delhi.
6. T. N. Gulati S/O D. D. Gulati,
Senior Scientific Assistant,
D.I.W.S., Mussoorie. ... Applicants

(By Shri R. P. Oberoi, Advocate)

-Versus-

1. Union of India through
Secretary, Deptt. of Defence
Research & Development,
Ministry of Defence,
South Block,
New Delhi.
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2. The Director General,
Defence Research & Development
Organisation, Ministry of
Defence, South Block,
New Delhi.
 3. Smt. R. Rukmani,
Senior Scientific Assistant,
Defence Research & Development
Organisation Laboratory,
Kanchanbagh,
Hyderabad-500258.
 4. Shri A. Ramakrishna Rao,
Senior Scientific Assistant,
N.S.T.L., Vigyan Nagar,
Visakhapatnam-06 (AP). ... Respondents
- (By Shri M. K. Gupta, Advocate)

2) O.A. NO. 2277/94

1. P. K. Bedi S/O B.M.L. Bedi,
Senior Scientific Assistant,
Solid State Physics Laboratory,
Lucknow Road, Timarpur,
Delhi-54.
 2. A. K. Ghaiok S/O M.L. Ghadiok,
Senior Scientific Assistant,
Defence Institute of Physiology
and Allied Sciences,
Lucknow Road, Timarpur,
Delhi-54. ... Applicants
- (By Shri R. P. Oberoi, Advocate)

-Versus-

1. Union of India through
Secretary, Department of
Defence Research & Development,
Ministry of Defence,
South Block, New Delhi.
 2. Director General,
Defence Research & Development
Organisation, Ministry of
Defence, South Block,
New Delhi.
 3. Shri G. P. Kashyap,
Senior Scientific Assistant,
Defence Institute of Fire
Research, Probin Road,
Delhi-54.
 4. Shri S. Veerachari,
Senior Scientific Assistant,
Defence Research & Development
Laboratory, Kanchan Bagh,
Hyderabad. ... Respondents
- (By Shri M. K. Gupta, Advocate)

3) O.A. NO. 2076/1993

1. M. L. Parasher S/O C. B. Parasher.
2. Suresh Kumar S/O R. C. Gupta.
3. Smt. A. Pappan W/O M. Scaria.
4. Harbachan Singh S/O Hardass.
5. V. K. Sharma S/O S. L. Sharma.
6. D. N. Vaid S/O R. Vaid.
7. M. B. Mathur S/O J. S. Mathur.
8. S. P. Yadav S/O Baliraj Yadav.
9. S. N. Dwivedi S/O G. D. Dwivedi.
10. R. K. Shukla S/O A. P. Shukla.

(1-10 working as Senior Scientific Assistants, Defence Science Centre, Metcalfe House, Delhi-54.)

11. Smt. Chanchal Oberoi W/O V. K. Oberoi,
12. R. K. Jain S/O Sheetal Jain.
13. M. K. Chopra S/O O.P. Chopra.
14. Smt. Renuka Ganju W/O P.K. Ganju.
15. R. P. Walia S/O S. L. Walia.

(11-15 working as Senior Scientific Assistants, Institute of Nuclear Medicines and Allied Sciences, Lucknow Road, Delhi-54.)

16. Smt. P. Thomas W/O Thomas Paul.
17. Smt. V. Asnani W/O A. K. Asnani.
18. R. Prasad S/O Laik Ram.
19. R. K. Sharma S/O Jagdish Rao.
20. A. S. Malhotra S/O P. N. Malhotra.
21. P. C. Chhabra S/O G. L. Chhabra.

(16-21 working as Senior Scientific Assistants, Defence Institute of Physiology and Allied Sciences, Delhi Cantt-110010.)

22. S. K. Tyagi S/O M. P. Tyagi.
23. Smt. M. Jayaraman W/O V. Jayaraman.

R

(22 & 23 working as Senior Scientific Assistants, Defence Scientific Information & Documentation Centre, Metcalfe House, Delhi-54.)

- 24. Mukesh Kumar S/O Jag Mohan Nath.
- 25. Smt. Kamlesh Bhola W/O G. C. Bhola.
- 26. P. K. Mendiratta S/O T. C. Mendiratta.
- 27. S. C. Gupta S/O K. D. Gupta.

(24-27 working as Senior Scientific Assistants, Defence Institute of Fire Research, Probyn Road, Delhi-54.)

- 28. R. P. Aggarwal S/O H. R. Aggarwal.
- 29. Mohinder Pal S/O Bishan Sarup.
- 30. D. S. Guliani S/O Sajjan Singh.
- 31. Sunder Lal S/O Ram Chand
- 32. Harminder Singh S/O Balbir Singh.
- 33. I. M. Srivastava W/O H.M.Srivastava.
- 34. O. P. Hooda S/O M. R. Hooda.
- 35. Vinod Kapoor S/O M. R. Kapoor.
- 36. S. N. Singh S/O R. D. Singh.
- 37. Smt. Geeta Mohan W/O Lalit Mohan.
- 38. Amar Singh Tomar S/O Damna Singh Tomar.

(28-38 working as Senior Scientific Assistants, Solid State Physics Laboratory, Lucknow Road, Delhi-54.)

- 39. Miss Sarla Malhotra D/O I.D.Malhotra, Senior Scientific Assistant, Centre for Explosive & Environmental Safety, Metcalfe House, Delhi-110054.
- 40. Smt. Seema Saxena W/O Yogesh Saxena, Senior Scientific Assistant, C.E.E.S., Metcalfe House, Delhi-110054.
- 41. Ashok Bhandari S/O K.L.Bhandari.
- 42. Smt. Pramila Mago W/O Sunil Mago.
- 43. Bindeshwari Singh S/O Mahavir Singh.
- 44. Anil Uppal S/O K. K. Uppal.

23

(41-44 working as Senior Scientific Assistants, Scientific Analysis Group, Metcalfe House, Delhi-110054.)

... Applicants

(By Shri R. P. Oberoi, Advocate)

-Versus-

1. Union of India through Secretary, Department of Defence Research & Development, Ministry of Defence, South Block, New Delhi.
2. Director General, Defence Research & Development Organisation, Ministry of Defence, South Block, New Delhi.
3. Director, Institute of Nuclear Medicines and Allied Sciences, Lucknow Road, Delhi.
4. Director, Defence Institute of Physiology and Allied Sciences, Delhi Cantt.
5. Director, Defence Science Centre, Metcalfe House, Delhi.
6. Director, Defence Information and Documentation Centre, Metcalfe House, Delhi-54.
7. Director, Defence Institute of Fire Research, Probin Road, Delhi-54.
8. Director, Solid State Physics Laboratory, Lucknow Road, Timarpur, Delhi.
9. Director, Centre for Explosive and Environmental Safety, Metcalfe House, Delhi-54.
10. Director, Scientific Analysis Group, Metcalfe House, Delhi-110054.
11. G. P. Kashyap, Sr. Scientific Assistant, Defence Institute of Fire Research, Probin Road, Delhi-110054.
12. Devender Kumar, Sr. Scientific Asstt., Defence Information and Documentation Centre, Metcalfe House, Delhi-54.

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13. Virendra Prasad,
Sr. Scientific Asstt.,
Defence Science Centre,
Metcalfe House, Delhi.
14. Joginder Nath,
Sr. Scientific Assistant,
Defence Science Centre,
Metcalfe House, Delhi.
15. Ram Pal Singh,
Sr. Scientific Assistant,
Institute of Nuclear Medicines
and Allied Sciences,
Lucknow Road, Timarpur,
Delhi.
16. Satyapal Singh,
Sr. Scientific Assistant,
Scientific Analysis Group,
Metcalfe House, Delhi.
17. T. C. Kain,
Sr. Scientific Assistant,
Defence Institute of Physiology
and Allied Sciences,
Delhi Cantt.
18. Hukum Chandra,
Sr. Scientific Assistant,
Defence Science Centre,
Metcalfe House, Delhi.
19. Thakuri Singh,
Sr. Scientific Assistant,
Institute of Nuclear Medicines
and Allied Sciences,
Lucknow Road, Delhi.
20. Shri Jagdish Prasad,
Sr. Scientific Assistant,
Defence Institute of Physiology
and Allied Sciences,
Delhi Cantt.

... Respondents

(By Shri P. H. Ramchandani, Advocate)

ORDER (ORAL)

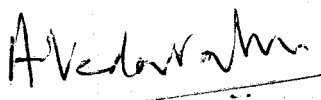
Shri N. V. Krishnan, Acting Chairman —

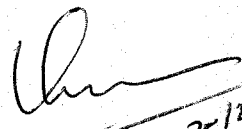
In these cases we had given a direction on 29.9.1995 which was in pursuance of an order dated 22.8.1995 of the respondents which gave the benefits sought by the applicants to certain persons whose particulars had been noticed by us in our earlier order. We gave a chance to the Government to consider whether the

same benefits should not be given to the remaining 39 persons also in these three O.A.s for getting the benefit of the higher pay from earlier dates.

2. It is now agreed by all parties that in pursuance of this direction, the Government have now passed a further order dated 18.10.1995 granting these benefits to the remaining persons also. The learned counsel for the applicants, therefore, submits that nothing more is left for adjudication. He, however, states that all this litigation could have been avoided if the respondents had considered their demand from earlier dates. He, therefore, requests that some compensation should be given to the applicants in this regard. We have considered the matter. We are of the view that the matter was not entirely free from doubts. It is a different matter that the Government ultimately decided to follow the earlier decision taken by them. In the circumstance, we are of the view that this is not a case where any costs should be awarded against the respondents.

3. In the circumstances, we find that all these three O.A.s have now become infructuous and they are accordingly disposed of.


(Dr. A. Vedavalli)
Member (J)


22/12/95
(N. V. Krishnan)
Acting Chairman

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