

Central Administrative Tribunal  
Principal Bench: New Delhi

CP-135/2002 In  
OA-1888/2000

This the 9th day of May, 2002

Hon'ble Shri V.K. Majotra, Member (A)  
Hon'ble Shri Shanker Raju, Member (J)

1. B.M. Singh,  
Sr. Technician,  
Central Pollution Control Board,  
Zonal Office, Kanpur.

2. B.D. Pandey,  
Junior Laboratory Assistant,  
Central Pollution Control Board,  
Zonal Office, Kanpur.

3. Rajiv Kumar,  
Data Entry Operator,  
Central Pollution Control Board,  
Zonal Office, Kanpur.

-Applicants

(None Present)

Versus

1. Dr. B. Sengupta,  
Member Secretary,  
Central Pollution Control Board,  
Delhi.

2. Shri P.V. Jayakrishnan,  
Secretary, Union of India,  
Ministry of Environment and Forests.

-Respondents

(By Advocate: Shri K.B.S. Rajan)

ORDER (Oral)

Hon'ble Shri Shanker Raju, Member (J)

By an order dated 17.10.2001 following  
directions have been issued to the respondents:-

"The applicants will be entitled to receive payments taking into account the basic pay, DA, HRA, CCA etc. as applicable to regular employees working in similar capacities following the principles of equal pay for equal work. The applicants will also be entitled to all consequential benefits from the dates of their initial appointments ignoring the breaks in service which will have to be treated as leave of the kind due. As and when regular vacancies in the rank of Sr. Technician, LDC etc. are required to be filled up in the respondents' establishment, each of the applicants will

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be informed in that regard and will be allowed to prefer an application notwithstanding the fact that they may have in the meantime crossed the upper age limit fixed for such recruitment. The respondents will, in respect of each applicants, grant suitable age relaxation to enable them to apply and be considered in accordance with the aforesaid Regulations of 1995. It is clarified that the various applicants herein will be as above only in respect of posts of Sr. Technicians, LDCs, Account Asstts. etc., the responsibilities of which they are discharging at present respectively.

Payments which become due to the applicants by virtue of the directions contained in (i) above will be made over to the applicants in a maximum period of three months from the date of receipt of a copy of this order".

2. Against this order, respondents preferred CWP No. 875/2002 wherein in CM Nos. 1436/2002 & 1437/2002, the Hon'ble High Court has stayed the order on 6.2.2002 and this CP was filed on 23.2.2002.

3. Having regard to the fact that the operation of the order has already been stayed by the High Court and the matter had been finally heard and the judgment is reserved, the CP is dismissed with liberty to the applicants to revive the same after the decision of the High Court.

*S. Raju*  
(Shanker Raju)  
Member (J)

*V.K. Majotra*  
(V.K. Majotra)  
Member (A)

cc.