

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.419/2020 with MA No.396/2020

This the 03rd day of November, 2020

**COROM : Hon'ble Shri Jayesh V. Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

1. Shispal, son of Udayram, age : 48 years, working as MTS in the office of the respondents, residing at Block No.B/107, New Naroda, Ahmedabad – 382330.
2. Bhawarlal, son of Chandraram, age : 26 years, working as MTD (OG) in the office of the respondents, residing at Sector-5, Gandhinagar 372025.
3. Dharmendra, son of Jaysingh, age : 26 years, working as MTD (OG) in the office of the respondents, residing at Sector-21, Gandhinagar – 372025.
4. Ditesh, son of Dhirajbhai, age : 29 years, working as MTD (OG) in the office of the respondents, residing at Sector-25, Gandhinagar – 372024.
5. Kanubhai, son of Jagdishbhai, age : 42 years, working as MTD (OG) in the office of the respondents, residing at D-602, Thespenta, Vavol – 372021.
6. Salim Khan, son of Iliyas, age : 40 years, working as MTD Gr.I in the office of the respondents, residing at Sector-20, Gandhinagar – 372025.
7. Rajendrasingh, son of Voshubhai, age : 41 years, working as MTD Gr.II. in the office of the respondents, residing at Sector-5, Gandhinagar – 372221.
8. Akash Bhabhula, son of Abhilash Kumar, age : 28 years, working as MTS in the office of the respondents, residing at Sector-13, Gandhinagar – 382410.
9. Mahipat, son of Ramanikbhai, age : 28 years, working as MTS in the office of the respondents, residing at Village : Indroda, District Gandhinagar – 382024.

10. Nimesh Solanki, son of Kanibhai, age : 28 years, working as MTS in the office of the respondents, residing at Sector-3, Gandhinagar – 372021.
11. Thakor Punam, son of Bachhuji, age : 28 years, working as MTS in the office of the respondents, residing at Sector-15, Gandhinagar – 372021.
12. Ramnivas, son of Ramanikbhai, age : 26 years, working as MTS in the office of the respondents, residing at Sector-21, Gandhinagar – 372025.
13. Sampat Soda, son of Banubhai, age : 27 years, working as MTS in the office of the respondents, residing at Vavol, Gandhinagar – 372024.
14. Vishal Valand, son of Khampatbhai, age : 27 years, working as MTS in the office of the respondents, residing at New Naroda, Ahmedabad – 372330.
15. Sampat Chaudhary, son of Deshraj, age : 28 years, working as MTS in the office of the respondents, residing at Sector-30, Gandhinagar – 372025.
16. Sambhu, son of Visnuder, age : 28 years, working as Civ. MTS in the office of the respondents, residing at Sector-13, Gandhinagar – 372025.
17. Rajubhai, son of Bavanjibhai, age : 28 years, working as Civ.HKS in the office of the respondents, residing at Indroda, Gandhinagar – 372025.
18. Krutarth, son of Vinodbhai, age : 26 years, working as Civ. M.Staff, in the office of the respondents, residing at Pethapur, Gandhinagar – 382024.
19. Sachin, son of Rameshbhai, age : 26 years, working as Civ. MTS in the office of the respondents, residing at Pethapur, Gandhinagar – 382024.
20. Yashvant, son of Rameshbhai, age : 26 years, working as Civ. MTS in the office of the respondents, residing at Pathapur, Gandhinagar – 382024.

21. Raju Shahu, son of Badribhai, age : 26 years, working as Civ. MTS in the office of the respondents, residing at Palaj, Gandhinagar – 372024.
22. Rakesh Desai, son of Bababhai, age : 32 years, working as Civ. MTS in the office of the respondents, residing at Palaj, Gandhinagar – 372024.
23. Heera Lal, son of Hoshiyar Singh, age : 24 years, working as Civ. MTS in the office of the respondents, residing at Vaval, Gandhinagar – 372024.
24. Viral, son of Govindbhai, age : 29 years, working as Civ. MTS in the office of the respondents, residing at Mukhasan, Gandhinagar – 382014.
25. Nayee Dixitkumar, son of Mukeshbhai, age : 29 years, working as Civ. Painter in the office of the respondents, residing at G-301, Shapan-2, Sargasan, TP-9, Gandhinagar – 382016.
26. Rana Narendra, son of Rameshbhai, age : 29 years, working as Civ. MTS in the office of the respondents, residing at Bhilvas, Vijapur, Dist- Mehsana, Gujarat- 382011.
27. Raghubhai, son of Jethabhai age : 33 years, working as Civ. MTS in the office of the respondents, residing at Village : Palaj, Gandhinagar – 382024.
28. Parmar Dilip, son of Ramanbhai, age : 34 years, working as Civ. MTS in the office of the respondents, residing at Harijan Vas, Dabhoda, Gandhinagar – 382731.

29. Pavan, son of Rameshbhai, age : 26 years, working as Civ. HKS in the office of the respondents, residing at Sector-20, Gandhinagar – 372023.....**Applicants**

(By Advocate : Shri M.S.Trivedi)

Versus

1. Union of India,
Notice to be served through
The Secretary,
Ministry of Defence, Air Headquarters,

Vayu Bhavan, New Delhi 110 011.

2. Chief of Administrative Staff
O/o. CAS, Air Headquarter, Vayu Bhavan,
New Delhi 110 011.
3. Air Officer Commanding in Chief
O/o. AOC in Charge, HQ, SWAC,
Chiloda Road, Gandhinagar 372 042.
4. President,
O/o. President, 3 Air Force Selection Board,
Sector – 25, Gandhinagar 382 025. **Respondents**

ORDER – ORAL

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

The present OA has been filed by in total 29 applicants along with separate MA No.396/2020 for Joint Application. Learned counsel for the applicants Shri M.S.Trivedi submits that all the applicants are working as MTS under the Respondent No.3. It is further submitted that the applicant No.1 namely Shispal (59733-R) MTS, 3 AF SB, Gandhinagar had submitted representation dated 14.03.2020 before the President, 3 AF SB, Gandhinagar (Annexure A-1 Colly, page 15 of the OA), therein, it was requested to decide working hours for MTS of AF SB, Gandhinagar in accordance with the existing rules/ instructions. The said representation has yet not been decided by the respondents. Hence, this OA.

2. On query, counsel for the applicant fairly submits that the representation as referred hereinabove has been filed by the applicant

No.1 in a representative capacity on behalf of all the remaining applicants on oral authorization since there is no Welfare Committee or Union existing in the said department. He is also not able to state whether these remaining applicants (except applicant No.1) had submitted their individual representation before the competent authority or not. Under the circumstances, it is requested by the counsel for the applicant that if it deemed it appropriate this Tribunal may treat this OA for applicant No.1 as his representation dated 14.3.2020 (Annexure A-1) has not yet been decided by the respondent Nos.3 & 4.

3. After argument for some time, counsel for the applicants submits that applicants will be satisfied, if appropriate direction be issued to the respondents for expeditious consideration of pending representation.

4. Heard Shri M.S.Trivedi, counsel for the applicant at length and perused the materials on record.

5. We treat this OA as filed by the applicant No.1 namely Shispal (59733-R) who is working as MTS, 3 AF SB, Gandhinagar. Since representation dated 14.3.2020 filed by the applicant has yet not been decided by the respondents, we deem it fit to dispose of this OA at admission stage itself without expressing any opinion on the merit of the case, with a direction to the **respondents** to consider and decide the pending representation dated 14.3.2020 of the applicant in accordance with the existing rules and instruction on the subject

within six weeks from the date of receipt of a copy of this order. It is open for the respondents to consider the claim of similarly placed MSTs, who are working at the same station.

6. In view of the above, the OA stands disposed of. Accordingly, MA No.396/2020 also stands disposed of.

7. Registry is directed to send copy of this order to the counsel for the applicant through email.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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