

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 290/00023/2021

Date of decision: 09.02.2021

CORAM

**HON'BLE MRS. JASMINE AHMED, MEMBER (J)
HON'BLE MS. ARCHANA NIGAM, MEMBER (A)**

1. Mahaveer Singh S/o Raju Singh, Aged 56 years, R/o H.No.110, Marg No.14, Hauwant 'B' BJS, Jodhpur (Rajasthan) (MCM).
2. Ajay Kumar S/o Shri Kishan, Aged 57 years, R/o Lakh ji Ki Pole, Bohra Ki Pole, Jodhpur (Raj.) (Electrician, HS-1).
3. Vishnu Dutt Panwar S/o Shri Mangi Lal Panwar, Aged 57 years, R/o Gahanohiya ka Bass, Mahamandir Jodhpur (Rajasthan)
4. Narendra Singh S/o Shri Sardar Ram Singh, Aged 57 years, R/o H.No.54 Old Police, Rai ka Bagh, Jodhpur (Rajasthan). (Elect. HS-1)
5. Shri Krishna S/o Shri Ram Nath, Aged 61 years, R/o 7/4, Khudi Bhagtaashni, Housing Board, Jodhpur (Raj.) (Retd. HS-1).

.....Applicants

By Advocate: Mr. K.P. S. Bhati, present through VC.

Versus

1. Union of India, through Secretary, Ministry of Defence, C.G.O. Complex, New Delhi-110001.
2. Commander Works Engineer, Air Force, Ratanada, Jodhpur Pin-342001 (Raj.).

3. Garrison Engineer, MES, Air Force, Ratanada, Jodhpur PIN-342001 (Raj.).

.....Respondents

By Advocate: Mr. K.S. Yadav, present through VC after getting an advance notice.

ORDER (ORAL)

Per Hon'ble Mrs. Jasmine Ahmed, Member (J)

Heard.

2. The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985, praying for the following reliefs:

- "(i) That this joint O.A. may kindly be allowed by permitting applicants to file the same.
- (ii) That the respondents may be directed to allow the applicants to re-exercise their option for fixation of pay in pursuant to the OM dated 27.07.2017, 28.08.2018, 20.09.2018 and 28.09.2018 (Annexure A3 to A6).
- (iii) That the respondents may be directed to re-fix the pay of the applicants in pursuant to the 7th Pay Commission after extending them benefit of 3rd MACP as per pre-revised rules.
- (iv) Any other relief which this Hon'ble Tribunal deems just and proper in favour of the applicant may be passed."

3. It is the contention of the learned counsel for the applicants that the claim of the applicants is very legal and not extending the benefits to them is nothing but an arbitrary action on the part of the respondents. In this regard, we have seen that the applicants

have preferred a representation for redressal of their grievances to the respondent department on 22.09.2018, to which learned counsel for the applicants states that till date no reply has been given by the respondents. Learned counsel for the applicants further states that the applicants have also sent the legal notice to the respondent department in regard to their grievances on 25.12.2020, to which no reply has been received yet from the respondent department.

4. The learned counsel for the applicants at this stage submits that the applicants would be happy and satisfied if a direction is being given by this Tribunal to decide the representation of the applicants dated 22.09.2018 and the legal notice dated 25.12.2020 by taking into account all the grievances raised by them within a time bound manner.

5. Accordingly, taking into consideration the limited prayer of the applicants, we direct the applicants to prefer a fresh representation to the competent authority within one week from the date of receipt of a certified copy of this order, and after receiving such representation of the applicants, the respondents are directed to decide the same by passing a detailed reasoned and speaking order by taking into account all the points raised by them

in their fresh representations as well as their earlier representations dated 22.09.2018 and the legal notice dated 25.12.2020 within a period of six weeks from the date of receipt of such fresh representation of the applicants.

6. With the above direction, the OA is disposed off at the admission stage itself. It is made clear that while disposing off the OA, we have not commented anything on the merits of the case. No order as to costs.

(ARCHANA NIGAM)
MEMBER (A)

(JASMINE AHMED)
MEMBER (J)

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