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**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

ORIGINAL APPLICATION No.210/00171/2020

Dated this Friday, the 06th day of March, 2020

**CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
R.N.SINGH, MEMBER (J)**

1. Krishan Kumar Singh, Age 43 years,
working as Social Sr. Security Assistant,
Employees Provident Fund Office, Thane,
residing at: A3/704, Rosa Gardenia,
Kasarvadavli, Ghodbunder Road, Thane (W) 400 615.
2. K. Vijaya Rama Rao, Age 44 years,
working as Social Security Assistant,
Employees Provident Fund Office, Thane,
residing at : 303 A, UNA Darpan
CHSL, Plot No. 14-15, Sector-9,
New Panvel, Navi Mumbai 410206.
3. Mr. Manoj Kumar, working as Social Security Assistant,
residing at :401, Rosa Gardenia, Kasarvadavli,
Ghodbunder Road, Thane (W) 400 615.
4. Krishnakant Singh, Age 44 years,
working as Social Sr. Security Assistant,
Employees Provident Fund Office, Thane,
residing at: Flat No. 604, Dniseeter,
Riverdate CHS, Godrej Hill, Kalaya 421 301.
5. Mr. Shahaji S.Patil, working as Social Sr. Security Assistant,
residing at B- 301, Vighnarthartha CHS, Plot No.
10, Sector 2, Kharghar, Navi Mumbai 410 210.
6. Mr. Nagendra kumar singh,
working as Social Sr. Security Assistant,
residing at : Flat No. 204, Sector 6,
Sub hVastu Society, Vasind(West),
7. Ms. Surekha G. Gondhalekar
working as Social Sr. Security Assistant
Residing at : Avanti CHS, Flat No.
104, Bldg No.33, Manisha Nagar, Kalwa, Thane 400 605.
8. Ms. Rupali Vinay Kamble
working as Social Sr. Security Assistant,
residing at Flat No. 401, Mahalaxmi Heights,
Opp: Sarvodaya Park, Nandivali Road,
Dombivali (East), Thane 421 201.

9. Ms. Manisha Rohit Dange,
working as Social Sr. Security Assistant, residing at 402,
Harmony Prestige Garden, Near Nitin Company,
Thane (West) – 400 601.
10. Ms. Madhuri Makarand Joshi,
working as Social Sr. Security Assistant, residing at D-
101, Shri Sai Shilp CHS, Gavanpada
Mulund(East), Mumbai 400 081.
11. Ms. Prabha Amit Bhagat
working as Social Sr. Security Assistant, residing at 401,
Manas Vastu, Opp Rangawadi CHS
Shelar Pada, Kolbad, Thane (West) 400 601.
12. Ms. Manisha Ketan Date,
working as Social Sr. Security Assistant,
residing at 34, Dayanand Society, Gopalnagar,
Lane No. 1, Dombivli (East) - 421 201.
13. Latha L. working as Social Sr. Security Assistant, residing at
30/A/32, Vrindavan Society, Thane (west) – 400 601.
14. Smita Ajit Narkar, working as Social Sr. Security Assistant,
residing at A9/502, Runwal Plaza, Kores Road,
Vartak Nagar, Thane (west) - 400 606.
15. Ms. Vaidehi H. Katkar,
working as Social Sr. Security Assistant,
residing at A1/502, Ashar Estate, Shree Nagar,
Thane (West) - 400 604.
16. Suhas Mirpagar, working as Social Sr. Security Assistant,
residing at B/207, Nakshatra CHS, Sweet End Park,
Thanekarwadi, Kopari Colony, Thane (East) - 400 608.
17. Ganesh K. Jogi, working as Social Sr. Security Assistant,
residing at VKS Building, 1st Floor, Road No. 27,
Waghle Estate, Shanti Nagar, Thane - 400 604.
18. Binod Kumar Jha, working as Social Sr. Security Assistant,
residing at : C- 2/1204, Punyodaya Park, Near Don Bosco
School, Kalyan (West), Thane.\
19. Saravanan C., working as Social Sr. Security Assistant,
residing at : Panvelkar Garden, Peomy Building,)
Flat No. 05, Ambarnath (West), 421 505.
20. Pankaj Bharat, working as Social Sr. Security Assistant,
residing at : Nirmal Kunj, Near Rameshwar Palace,
New Anand Road, Sawarkar Nagar, Manda, Titwala
(East) – 421 605.

21. Sunil Kumar Singh, working as Social Sr. Security Assistant, residing at : Lok Dhara, Prayag Building B-4, 4th Floor, Room No. 406, Kalyan(East).
22. Premchand Kumar, Kanchanjanga Lokhdhara CHSL, Flat No. A6/104, Lokdhara Complex, Kalyan (East) - 421 306.
23. Navin Kumar, working as Social Sr. Security Assistant, residing at Vinayak Park, B, Room No. B/303, Manda, Titwala West, Thane 421 605.
- 24.. Dilip Mudhale, Working as Social Sr. Security Assistant, residing at 101, Parijat) Housing Society, Samtanagar, Thane (West).
25. Shilpa Mohare, working as Social Sr. Security Assistant, residing at Shrirangchhaya, Daivadmya Colony, Sant Namdeo Path, Dombivali (East) - 421 201.
26. Shreeramkrishnan, working as Social Sr. Security Assistant, residing at : 99-B-22, Vrindavan Society, Thane (West) - 400 601.
27. Bhaskar Bhoir, Working as Social Sr. Security Assistant residing at 205, Chetan Society, Behind Ashok Garage, Manisha Nagar, Kalwa, Thane. 400 605.
28. Madhu Nitesh Suman, working as EO/AO, residing at A4/1403, Rosa Gardens, Kasarvadavali, G.B. Road, Thane (West) - 400 615.
29. Anita Anantrao Kosrabe, working as Social Sr. Security Assistant, residing at A2/204, Mohan Paradise Phase 1, Wagale Nagar, Khadagpada, Kalwa (West) - 421 301. ... Applicants

(By Advocate Shri Vicky Nagrani)

Versus

1. Union of India, Through Secretary, Ministry of Labour and Employment, Shram Shakti Bhavan, New Delhi 110 001.
2. Employees Provident Fund Organization, Central Provident Fund Commissioner, Bhavishya Nidhi Bhavan, 14-Bhikaji Cama Place, New Delhi 110 066.
3. The Additional Central Provident Fund Commissioner (HQ), Bhavishya Nidhi Bhavan, 14-Bhikaji Cama Place, New Delhi 110 066.
4. Regional Provident Fund Commissioner I, Bandra I, 341, Bhavishya Nidhi Bhavan, Bandra (E), Mumbai 400 051. - Respondents

ORAL ORDER**Per : R.N.Singh, Member (Judicial)**

Heard the learned counsel for the applicants.

2. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 and submits that the grievances of the applicants are that the respondents have denied the pay admissible to the applicants on their promotion to the post of SSA in accordance with the provisions of FR 22 (I) and the respondents have wrongly fixed the pay under the provision of FR 22(IV).
3. The learned counsel for the applicant submits that the issue raised in the present OA has already been adjudicated vide order/judgment dated 29.01.2016 (Annex A-10) by a Coordinate Bench of this Tribunal (Kolkata Bench) in OA No.350/00471/2015 titled **Rajesh Kr. Verma & Ors. Vs. Union of India and Ors.** He further adds that the applicant herein above seeks the extension of benefit of judgment of this order of the Tribunal in **Rajesh Kr. Verma** (supra). He further invites our attention to various representations made by the applicants including the one dated 03.05.2019 (Annex A-10 colly) and the same are stated to be still lying pending for consideration.
4. At this stage, the learned counsel for the applicants submits that the applicants shall be satisfied if the present OA is disposed of with a direction to the respondent No.4 to consider the applicants' aforesaid pending representations and to dispose of the same by passing a reasoned and speaking order in a time bound manner. We are of the considered view that if such request of the applicants are accepted, no prejudice is likely to cause to the respondents.

5. In view of the aforesaid and without going into the merit of the claim of the applicants, the OA is disposed of with a direction to the respondent No.4 to consider the aforesaid pending representations of the applicants and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within ten weeks of the receipt of this order.
6. Pending MAs also stand disposed of accordingly.
7. However, in the facts and circumstances, no order as to costs.

(R.N.Singh)
Member (Judicial)

(Dr. Bhagwan Sahai)
Member (Administrative)

kmg*

JD
09/03/2020

