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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA NO. 2948/2004

This the 31st day of March, 2006

HON'BLE MR. JUSTICE M.A.KHAN, VICE CHAIRMAN (J)
HON'BLE MRS. CHITRA CHOPRA, MEMBER (A)

1. Dinesh Thakur s/o Sh. Bindeshwar Thakur,
R/o H-571, Srinivaspuri, New Delhi.
2. Sant Lal s/o Sh. Duli Chand
r/o Prem Nagar, 67/48 WC, New Delhi.
3. Balwan singh s/o Sh. Rati Ram,
D-429, Sewa Nagar, New Delhi.
4. Rajendra Thakur, s/o Sh. Jago Thakur,
1190, Timarpur, Delhi-54.
5. Ram Kishan s/o Sh. Chandgi Ram,
Vill. & P.O. Bhupria, Distt. Jhajjar (Haryana).
6. Dilbag Singh s/o Sh. Mage Ram,
Vill. & PO Mazara (Dubaldhan),
Distt. Jhajjar (Haryana).

(By Advocate: Sh. Yogesh Sharma)

Versus

1. Union of India through the Secretary,
Ministry of Defence, Govt. of India,
New Delhi.
2. The Chief of the Army Staff,
Air Head Quarters, Vayu Bhawan,
New Delhi.
3. The Commanding Officer,
Defence Hqrs. Security Troops,
Ministry of Defence, New Delhi.

(By Advocate: Mrs. Promila Safaya)

ORDER (ORAL)

Hon'ble Mr. Justice M.A.Khan, Vice Chairman (J)

The present OA is filed by the applicant for placing them in the pay scale of
Rs.3050-4590 with all consequential benefits.

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2. Applicants are working on the post of Barber as Civilian in the Defence Head Quarters, TPS Unit in the pay scale of Rs.2750-4900. Earlier they had filed OA-404/2001 for the grant of same relief which was disposed of by the Tribunal by order dated 26.11.2002. The directions given to the respondent in the matter were as follows:-

"5. In view of the above, ends of justice would be met if the present OA is disposed of with direction to the respondents to treat the present OA as a supplementary representation and dispose of the representation as well as the supplementary representation and pass a detailed and speaking order within two months from the date of receipt of a copy of this order.

6. In the event the applicants are still aggrieved, it would be open to them to approach this Tribunal in accordance with law. No costs."

3. The respondents have disposed of the aforesaid representation submitted by the applicant. The Commanding Officer of the respondent by letter dated 7.1.2004 has intimated that the representations were considered and that the applicants Barbers could not be granted pay scale of Rs.3050-4590 as per rules.

4. The learned counsel for the applicant has submitted that in the OA the applicant had claimed parity with the pay scale which has been granted to their counter parts Barbers in Delhi Police and this aspect of their representation has not been considered and decided by the respondents. It is, therefore, submitted that the respondent may be directed to consider the representation of the applicant including the plea raised in the OA which was treated as a supplementary representation afresh and take a decision specifically taking into consideration the plea that the applicants' pay scale should be at par with the pay scales of Barber in Delhi Police.


5. Counsel for respondents does not oppose the request but has submitted that the representation of the applicant was considered and decision has been taken thereon, still the respondent will again consider the matter in the light of the submission which has been made in the OA which is treated as a supplementary representation, i.e., the parity in the pay scale with Barbers in Delhi Police.

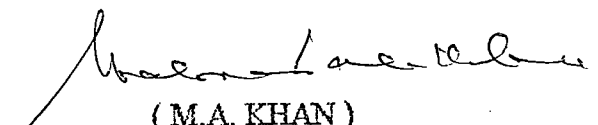
6. Accordingly, the present OA is disposed of with a direction to the respondents to consider the representation and the supplementary representation of the applicant afresh and take a decision thereon particularly in the light of the submissions which have been

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made by the applicant for parity in the matter of pay scale with the Barbers in Delhi Police.

7. The above said representation be decided by the respondents within three months from the date on which the certified copy of this order is received by them. If the applicants are aggrieved by the decision taken by the respondents, they may seek redressal of the grievance against it in accordance with law.


(CHITRA CHOPRA)
Member (A)


(M.A. KHAN)
Vice Chairman (J)

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