

SJR

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A.Nos.2650, 2995, 2851, 2649, 3098 & 2850 of 2004

Wednesday, this the 16th day of January 2008

Hon'ble Shri Shanker Raju, Member (J)

OA 2650/2004

1. Naval Kishore
s/o Shri Bhutai Rajak
c/o Shyam Prasad
CVD Pump House
Family Quarters, Palam Colony
New Delhi-45

2. Shri Vishnu Dev Prasad
s/o Shri Vasudev Pal
c/o Shyam Prasad
CVD Pump House
Family Quarters, Palam Colony
New Delhi-45

3. Shri Sukh Nandan
s/o Durbali (760/3A)
H.No.RZF-760/3, Galli No.3
Raj Nagar-II, Palam Colony
New Delhi-45

(By Advocates: Shri M.L. Chawla & Shri G.D. Chawla)

..Applicants

Versus

1. Union of India through Secretary
Ministry of Defence
South Block, New Delhi

2. The Director
PMO-DIPAC
CVD Complex
Delhi Cantt, New Delhi-10

3. Joint Secretary (Trg) & CAO
Ministry of Defence
South Block, New Delhi

4. Chief Admin. Officer
 Defence Image Processing & Analysis Centre
 CVD Complex, Delhi Cantt.
 New Delhi

(By Advocate: Smt. Meenu Malnee)

..Respondents

OA-2995/2004

1. Shri Ram Gobind
 s/o late Shri Sita Ram
 House No.RZ-58
 Galli No.5 Kallash Puri
 New Delhi-45

2. Shri Ant Ram
 s/o Shri Malhan
 H.No.R-50, Mohan Garden
 New Delhi-18

3. Shri Narayan Singh
 s/o late Shri Shrichand
 r/o RZ-98, East Sagar Pur
 New Delhi-45

4. Shri Balwant Singh
 s/o late Shri Amar Singh
 r/o J-13, Vishnu Garden
 New Delhi-18

5. Shri Deepak Kumar
 s/o Shri Narayan
 r/o RZ-99, East Sagar Pur
 New Delhi-45

..Applicants

(By Advocates: Shri M.L. Chawla & Shri G.D. Chawla)

Versus

1. Union of India through Secretary
 Ministry of Defence
 South Block, New Delhi
2. Joint Secretary (Trg) & CAO
 Ministry of Defence
 South Block, New Delhi

3. The Director
PMO-DIPAC
CVD Complex,
Delhi Cantt, New Delhi-10
4. Chief Admin. Officer
Defence Image Processing & Analysis Centre
CVD Complex, Delhi Cantt.
New Delhi

(By Advocate: Smt. Meenu Mainee)

..Respondents

OA-2851/2004

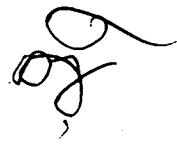
1. Shri Sharat Kumar
s/o Shri Bekhali Behra
c/o PMO-DIPAC
PO Bag No.2
CVD Complex, Delhi Cantt.110010
2. Shri Mathius Toppo
s/o Late Shri Simon Toppo
r/o Servant Quarter No.21
Subroto Park Extn. Delhi Cantt.110010
3. Shri Sonu
s/o late Shri Sunder Lal
r/o CVD Family Qr. 300/11
CVD, Delhi Cantt.110010

(By Advocates: Shri M.L. Chawla & Shri G.D. Chawla)

..Applicants

Versus

1. Union of India through Secretary
Ministry of Defence
South Block, New Delhi
2. Joint Secretary (Trg) & CAO
Ministry of Defence
South Block, New Delhi
3. The Director
PMO-DIPAC
CVD Complex,
Delhi Cantt, New Delhi-10



4. Chief Admin. Officer
 Defence Image Processing & Analysis Centre
 CVD Complex, Delhi Cantt.
 New Delhi

(By Advocate: Smt. Meenu Malnee)

..Respondents

OA-2649/2004

Shri Raj Singh
 S/o Shri Mange Ram
 R/o Vikas Nagar, Salnik Enclave
 Part-II, H.No.26, Kumhar Colony
 New Delhi-59

(By Advocates: Shri M.L. Chawla & Shri G.D. Chawla)

..Applicant

Versus

1. Union of India through Secretary
 Ministry of Defence
 South Block, New Delhi
2. Joint Secretary (Trg) & CAO
 Ministry of Defence
 South Block, New Delhi
3. The Director
 PMO-DIPAC
 CVD Complex,
 Delhi Cantt, New Delhi-10
4. Chief Admin. Officer
 Defence Image Processing & Analysis Centre
 CVD Complex, Delhi Cantt.
 New Delhi

(By Advocate: Smt. Meenu Malnee)

..Respondents

OA-3098/2004

1. Shri Viresh Kumar & Biresh Kumar
 s/o Shri Gulsher Singh
 r/o RZ-73, East Sagar Pur
 Nala Par, Basti
 New Delhi-46

2. Shri Ajay Raj
 s/o Shri Ram Kumar Yadav
 r/o H.No.4, Durga Park
 Nasir Pur, New Delhi-45

(By Advocates: Shri M.L. Chawla & Shri G.D. Chawla) ..Applicants

Versus

1. Union of India through Secretary
 Ministry of Defence
 South Block, New Delhi
2. Joint Secretary (Trg) & CAO
 Ministry of Defence
 South Block, New Delhi
3. The Director
 PMO-DIPAC
 CVD Complex,
 Delhi Cantt, New Delhi-10
4. Chief Admin. Officer
 Defence Image Processing & Analysis Centre
 CVD Complex, Delhi Cantt.
 New Delhi

(By Advocate: Smt. Meenu Malnee) ..Respondents

OA-2850/2004

Shri Rajender Kumar
 S/o Shri Pancham
 R/o H.No.RZF-700, Gall No.1
 Raj Nagar-II, Palam Colony
 New Delhi-45

(By Advocates: Shri M.L. Chawla & Shri G.D. Chawla) ..Applicant

Versus

1. Union of India through Secretary
 Ministry of Defence
 South Block, New Delhi
2. Joint Secretary (Trg) & CAO
 Ministry of Defence
 South Block, New Delhi

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3. The Director
PMO-DIPAC
CVD Complex,
Delhi Cantt, New Delhi-10

4. Chief Admin. Officer
Defence Image Processing & Analysis Centre
CVD Complex, Delhi Cantt.
New Delhi

..Respondents

(By Advocate: Smt. Meenu Malnee)

ORDER (ORAL)

As the issue raised is founded on common facts with an identical question of law, these OAs are being disposed of by this common order.

2. At the outset, learned counsel for applicants forgoes his claim for regularization, as projected in the OAs, with liberty to pursue this with the respondents.

3. The casual workers, who have rendered eight to nine and a half years of service, have a grievance as to payment of less wages as per the prescribed rates and also their utilization of services beyond stipulated working hours and non-payment thereof. It is also the grievance that payments of weekly-offs and national holidays have also not been paid to the applicants. Interest is also claimed on the aforesaid payments.



4. In the light of the fact that representations have ~~not~~ been preferred and the respondents, who are the custodian of records, these OAs are disposed of with a direction to the respondents to treat each OA as a supplementary representation on behalf of each applicant, including the contentions raised therein for the respective claim and dispose of the same after perusing the records as to the working hours of the applicants and payment of wages at the prescribed rates. The aforesaid consideration would culminate into a reasoned order within a period of four months from the date of receipt of a copy of this order. Consequences, if ensued, shall be paid to the applicants thereafter within one month from the date of passing such an order by the respondents. No costs.

5. Let a copy of this order be placed in each OA.

(Shanker Raju)
Member (J)

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