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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1001/2004

New Delhi, this the 22nd day of April, 2004

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

1. Kishan Chand s/o Late Sh. Shiv Lal,
33a, Hauz Rani Malviya Nagar, New Delhi
2. Usha Sharma W/o Sh. R.K. Sharma,
Sector 12/159, R.K. Puram, N. Delhi
3. Lalita Gianchandani W/o Sh. M.R. Gianchandani
G-25 Kalkaji, New Delhi
4. Usha Devi Sharma W/o Shri R.N. Sharma,
Block 12/230, Lodhi Colony, New Delhi
5. Harminder Kaur D/o Shri Singh,
H 5 B Gulmohar Apts. Vikaspuri, New Delhi
... Applicants

(By Advocate : Shri Deepak Verma)

Versus

1. The Secretary,
Dept. of Expenditure, Min. of Finance,
North Block, New Delhi
2. The Secretary,
Deptt. of Personnel & Trg.,
North Block, New Delhi. - 110 012
3. The Secretary,
Staff Selection Commission (SSC)
Block 12, CGO Complex,
Lodhi Road, New Delhi
... Respondents

O R D E R (ORAL)

Heard.

2. The applicants have prayed for a direction being given to the respondents to dispose of the legal notice/representation (Annexure A-1) submitted by them by issuing a reasoned and speaking order. It is observed that the said legal notice was submitted to the respondents on the 28th September, 2003 and was further followed up by a reminder dated 16.1.2004 (Annexure A-2).



3. On perusal of the OA, it is observed that the applicants, who are Data Entry Operators (DEOs) working in the Office of Respondent No.3, have sought extension of the benefits of the decision of this Tribunal given in OA No.2639/1999 on the 31st July, 2000 in Babu Lal & Others vs. Union of India followed by various other judgements of the Tribunal as referred to by the applicants in paragraph 4.2 of the OA. They have submitted that their case is similarly placed as the ones decided by the Tribunal in the said OA and several other OAs. In this connection, it needs to be mentioned that in the representation submitted by the applicants, they have given the relevant facts including the decisions of the Tribunal as given in the various other OAs. They have, in their representation, also referred to the instructions as laid down by the DOP&T on 16.1.2004 that any representation containing the grievance of the employees should be disposed of by the Department concerned within six weeks by issuing a reasoned and speaking order.

4. The learned counsel has further invited attention to Annexure A-3 to the OA whereby the Ministry of Personnel, Public Grievances & Pensions have, in compliance of the orders of the Tribunal in OA No.2938/2002 regarding refixation of pay of the applicants, conveyed to the applicants in the said OA that necessary orders fixing their pay will be issued separately.

5. Having regard to the fact that the applicants have claimed that their cases are similar to the ones already decided by the Tribunal in several OAs, I am of the view that this OA can be disposed of at the admission stage



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itself while hearing on the point of admission with a direction to the respondents to verify the facts as submitted by the applicants and, if found identical with the cases already decided, as mentioned above, they be also given similar benefits. However, while parting with this decision, it is made clear that I have not opened up while disposing of the matter, my mind on the merits of the case. The respondents are further directed that, they issue a reasoned and speaking order within three months from the date of receipt of a copy of this order.

6. With this, the OA stands disposed of.



(SARWESHWAR JHA)
MEMBER (A)

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