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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH,**



**CP NO. 15/2007
OA NO. 984/2004**

New Delhi, this the 16th day of March, 2007

**HON'BLE SH. L.K.JOSHI, VICE CHAIRMAN (A)
HON'BLE SH. MUKESH KUMAR GUPTA, MEMBER (J)**

1. Mohinder Singh
S/o Late Sh. Ram Swarup
R/o Village and P.O. Shahbad Mohammadpur
New Delhi.
2. B.N.Sharma S/o Late Sh. P.D.Kaushik
R/o GI-805, Sarojni Nagar,
New Delhi-110023.
3. R.S.Mongia S/o Sh. Lal Chand Mongia
R/o 19, Promise Apartment, Vikas Puri,
New Delhi-110018.
4. J.J.K.Jain S/o Late Sh. S.S.Lall
R/o C-135, Ashoka Enclave-2,
Sector-37, Faridabad, Haryana.
5. V.K.Jain died through LR. Mrs. Madhu Jain
W/o Late Sh. V.K.Jain
R/o BD-114, Janakpuri,
New Delhi.
6. A.S.Manchanda S/o Late Sh. K.S.Manchanda
R/o 3377/1, II-F, Crischan Colony,
Karol Bagh, New Delhi-110005.
7. Smt. R.R.Pushkarna W/o Sh. Y.R.Pushkarna
R/o A-3/239, Paschim Vihar,
New Delhi.
8. Smt. Sharda Pandhi W/o Sh. S.K.Pandhi
R/o B-6/44/1, Safdarjung Enclave,
New Delhi-110029.
9. K.R.Joshi S/o Late Sh. B.R.Joshi
R/o 202, Krishna Apartments
Sector-9, Plot 13, Dwarka,
New Delhi.

(By Advocate: Sh. H.M.Singh with Sh. Kaushal Yadav)

Versus

1. Shekar Dutt,
Secretary Defence
South Block, New Delhi.
2. J.B.Singh, Joint Secretary,
Office of J.S. (Training) and CAO, E Block,
Dalhousie Road, DHQ Post Office,
New Delhi-11.
3. Nishi Srivastava,
Sr. Administrative Officer/CAO/P-2,
Office of J.S. (Training) and CAO, E Block,



Dalhousie Road, DHQ Post Office,
New Delhi.

(By Advocate: Sh. B.K.Berera)

ORDER (ORAL)

Hon'ble Sh. Mukesh Kumar Gupta, Member (J)

We have heard the learned counsel for the parties and perused the pleadings.

2. Applicants in present CP were the applicants in OA-984/2004. As noticed vide para 2 of the order dated 20.9.2005 while disposing of the said OA they had sought direction to respondents to place them to the post of Programmer w.e.f. 1.1.86 in terms of order in OA-553/2003 (R.K.Pareek and others vs. Union of India). While disposing of the said OA direction has been issued to the respondents to consider the claim of each applicant and pass a reasoned and speaking order. In case it is found that applicants were similarly placed at par with the applicants in several OAs No.351/99 and 1218/2002 and other OAs, then applicant would be entitled to the said scale.

3. It is contended by the applicants that the aforesaid directions remained uncomplied with.

4. Respondents, on the other hand, contended that vide order dated 19.5.2006 all the 9 applicants were already granted the relief claimed. Moreover their representation for grant of next promotional grade of Rs.3000-4500 was considered and vide order dated 20.12.2006 (Annexure CR-1) it was rejected. The precise grievance raised in the present CP is that applicants have not been granted the promotional grade of Rs.3000-4500. In our considered view the claim made in OA was in respect of the post of Programmer and not to the next higher post i.e. the Senior Programmer, to which the scale of Rs.3000-4500 pertains to.

5. In the circumstance, we find no deliberate disobedience on the part of the respondents. If applicants have any grievance against order dated 20.12.2006 they would be at liberty to take appropriate action in accordance with rules and law. CP is disposed of. Notices are discharged.

(MUKESH KUMAR GUPTA)
Member (J)

(L.K. JOSHI)
Vice Chairman (A)