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CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA 110/2004

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

Hon'ble Sh. Sarweshwar Jha, Member (A)

1. Miss S.Topno (Retd) D/o Sh. John Topno
2. Smt. A.Nayar, W/o Sh. G.S.Nayar
3. Smt. Sunita A Singh, D/o Sh. Ashok Singh
4. Miss B.V.Gadge, D/o Sh. Vishwaji Gadge
5. Miss Seema Maseeh, D/o Mr. Julius Masih
6. Smt. Alka Frnkun, W/o Mr. Frankun
7. Smt. Promila Singh, W/o Sh. Kristofer
8. Sh. M.L.Gupta, S/o Sh. Sahba Chand
9. Lakhan Singh, S/o Sh. Sabha Chand
10. Ramji Lai, S/o Sh. Khachera
11. Vivek Bhatnagar, S/o Sh. Jagmohan Bhatnagar
12. D.P.Sharma, S/o Sh. Laxmi Narayan Sharma
13. Parshadi Lai, S/o Sh. Lakhi Ram
14. Smt. Lilly Baboo, W/o Sh. K.C.Baboo
15. Smt. Lilly Joseph (Retd.), W/o Sh. P.V.Joseph
16. Smt. R.J.Nath (Retd), W/o Sh. Joycee J Nath
17. Sh. R.D.Sharma, S/o Sh. Moti Lai Sharma
18. Sumer Singh, S/o Sh. Hukum Singh
19. Chaman Lai, S/o Sh. Chhotu Ram
20. Rati Pal, S/o Late Sh. Sunehri Ram
21. Sh. Sahab Singh, S/o Sh. Gaje Singh
22. Sh. Manoj Kumar, S/o Sh. Murari Lai
23. Sh. Hari Ram (Retd), S/o Late Sh. Chhaju Singh
24. Sh. Sohan Lai, S/o Late Sh. Choranji Lai
25. Kirpal Singh, S/o Sh. Kishan Lai
26. Raj Kumar, S/o Sh. Chidan
27. Naresh Kumar, S/o Sh. Sohan Lai
28. Harish Chand Kasri, S/o Sh. Pabaru
29. Smt. Susheela Devi, W/o Sh. Shivcharan Sharma
30. Smt. Kamlesh W/o Sh. Doji Ram
31. Smt. Radha Rani, W/o Sh. Bijendra Kumar
32. Smt. Amrit Devi, W/o Sh. Mool Chand
33. Smt. Kamlesh Rani, W/o Late Sh. Wazir Chand
34. Smt. Subal Biswal (Retd), W/o Late Sh. D.R.Biswas
35. Sh. Moti Lai, S/o Late Sh. Shankar Lai
36. Smt. Gyatri Devi, W/o Sh. Balbir Singh
37. Khem Chand (Retd.) S/o Late Sh. Vansi
38. Rajkumar, S/o Late Sh. Satbir
39. Baleshwar, S/o Late Sh. Banwari
40. Jagdish, S/o Late Sh. Babu Ram
41. Smt. A.Varghese W/o Sh. M.C.Varghese
42. Sh. Mohan Lai, S/o Late Sh. Harbans
43. Ram Pal, S/o Sh. Fakira
44. Smt. Chandro Devi, W/o Late Sh. Pyara Lal
45. Smt. Omkari W/o Sh. Jai Singh
46. Smt. Shanti Devi, W/o Late Sh. Banwari Lai
47. T.D.Joshi, S/o Late Sh. M.D.Joshi
48. Subhash Chandra, S/o Late Sh. Nek Ram

(All are working as Para Medical staff in the Ordnance Factory, Murad Nagar, Hospital and the applicants No.1,14,16,34 and 37 are the retired para medical staff of Ordnance Factory, Murad Nagar and are residents of Muradnagar, Distt. Ghaziabad).

...Applicants

(By Advocate Sh. Yogesh Sharma)

1. Union of India through  
Secretary, Ministry of Defence  
Govt. of India, New Delhi.
2. The Director General  
Ordnance Factories Board  
10-A, Auckland Road, Calcutta.
3. The General Manager  
Ordnance Factory  
Muradnagar, Distt,  
Ghaziabad, UP.

... Respondents

O R D E R (ORAL)

Shri Sarweshwar Jha,

Heard the learned counsel for the applicants.

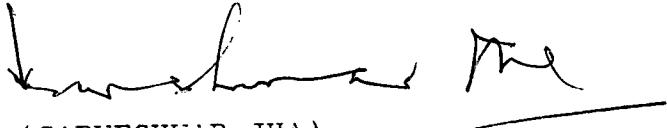
2. This is the second round of litigation. The applicants had earlier approached this Tribunal vide OA 2495/99 which was decided on 22-3-2000 with directions to the respondents that they will consider the appeal/representation dated 15-12-98 as submitted to them and, after taking into account the observations made in the orders, including the judgement of the Hon'ble Supreme Court in the case of similarly placed applicants and also the decisions of the Tribunal in OA 969/89 and 98/90 (Madras/Jabalpur Bench) and, further that in case the applicants were found similarly placed, they shall be entitled to similar benefits of double rate OTA. It is observed that the respondents have allowed them the benefits as given to similarly placed persons in the OAs as mentioned above from the date of filing of the said OA. The applicants are, however, not satisfied with the reliefs having been given to them from the date of filing of the said OA. Their submission is that they had first approached this Tribunal vide OA 2418/96 and, therefore, they should have been given the benefit of double OTA from the date of filing of the said OA. He has also referred to the fact that earlier the case of the applicants was rejected by

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the respondents on the ground that they were not the parties to the OA as had been decided by the Tribunal as referred to above and hence their representations made on the subject had been rejected accordingly.

3. On consideration of the submissions made by the applicants in this OA, I am inclined to dispose of this OA at this stage itself while hearing on the point of admission without issuing notices to the respondents with directions that they consider the submissions made by the applicants in this OA and verify whether, in the light of the decisions already given in their cases as well as in other similarly placed cases, they are entitled to the benefits being given to them w.e.f. the date that they had filed their previous OA, namely, OA 2418/96. In order to facilitate proper consideration of the matter, it is also directed that a copy of this OA along with a copy of the present order be made available to the respondents who will be considering it, treating it as a further representation of the applicants on the subject, and disposing it of, as directed above, within a period of three months from the date of receipt of a copy of this order.

4. The OA thus stands disposed of in terms of the above directions/observations.

  
(SARWESHWAR JHA)  
MEMBER (A)

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