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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

OA.No.783 of 1993

Dated New Delhi, this 20th day of February, 1997.

HON'BLE MR K. MUTHUKUMAR, MEMBER (A)

1. G. D. Rajpalli
S/o Shri M. L. Rajpalli
2. L. R. Harit
S/o Shri B. S. Harit
3. Hari Shankar
S/o Shri Hira Lal
4. Dharanidhar Mandal
S/o Shri Surendranath Mandal
5. Anil Kumar
S/o Shri Suraj Bhan
6. Sukhpal Singh
S/o Shri Banshi Ram
7. R. K. Singhal
S/o Ganga Ram
8. R. P. Singh
S/o Shri R. C. Singh
9. Shri Ravinder Kumar Gupta
S/o Nand Kishore Gupta
10. Rama Nand
S/o Shri Basu Dev
11. Smt Chandrakanta
D/o Tarachand Sharma
12. R. K. Aggarwal
S/o Hari Kishan Lal
13. S. K. Jain
S/o Janeswar Das Jain
14. Bhim Sen
S/o Shri Mewalal
15. Ravi Kumar
S/o Shri Ameen Chand
16. Smt. Kamini Bhardwaj
W/o Shri B. K. Bhardwaj
17. Gyani Ram
S/o Shri Maharaj Singh
18. Shri R. K. Malik
S/o Shri K. V. Malik
19. S. M. Mishra
S/o Shri K. P. Mishra

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9

20. Pyarelal
S/o Shri Udai Singh

[Address of applicants 1 to 6:
working under E.E.(Elect),
Hindon Central Electrical Division,
C.P.W.D., Hindon Air Field, Ghaziabad
and applicants 7 to 20 working under
E.E. (Elect), Ghaziabad Central Division,
C.P.W.D. Hindon Airfield., Ghaziabad(U.P.)

... Applicants

By Advocate: Shri B. S. Mainee

versus

Union of India, through

1. The Secretary
Ministry of Urban Development
Nirman Bhawan
NEW DELHI.
2. The Secretary
Ministry of Finance
Government of India
North Block
NEW DELHI.
3. The Director General of Works
CPWD, Nirman Bhawan
NEW DELHI.
4. The Executive Engineer(Electrical)
Hindon Central Electrical Division
Hindon Airfield
GHAZIABAD.
5. The Executive Engineer
Ghaziabad Central Division
CPWD, Hindon Airfield
GHAZIABAD (U.P.)

... Respondents

None for respondents.

O R D E R (Oral)

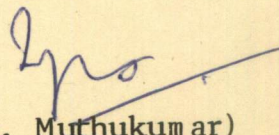
Mr K. Muthukumar, M(A)

Despite notices issued to the respondents to
make arrangements for defending the matter and arguing
today consequent to the fact that Shri K. C. Mittal, the
learned counsel who was appearing for the respondents,
is no longer in the panel, no one appears for the
respondents. The learned counsel for the applicants

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submits that the short point involved in this case is the question of recovery of HRA and CCA which was ordered by impugned order dated 26.11.91 (Annexure A-1 to the OA). By an order of the Tribunal the recovery was, however, stayed. The learned counsel draws my attention to a decision in OA.No.487/93 CPWD Mazdoor Union Ghaziabad Vs UOI & Ors. decided on 18.2.94 [ATJ 1994(2)p.143]. The applicants in this case are also employees of the CPWD posted and working in Ghaziabad. By the impugned order the respondents continued the payment of HRA/CCA at the rates applicable to the Central Government employees serving within and outside the limits of Ghaziabad Municipality and they have also ordered recovery of the past payment in this behalf.

From the facts and details of the case referred to by the learned counsel in OA.487/93 (supra), I find that this case is identical to the facts of the aforesaid case. In fact, in the decision of the aforesaid case, the Annexure A-1 in that OA which is also impugned in this OA, has been quashed. In view of this, this OA has to be allowed on the same terms and conditions as was decided in the case in OA.487/93 (supra). I order accordingly. The interim order passed earlier is made absolute. There shall be no order as to costs.


(K. Muthukumar)
Member(A)