

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00133/2021

Date of order: This the 4th day of June 2021

**THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)**



1. No.-5420055 Anand Kumar Prasad
Aged about 48 years, Junior Teacher
42nd Assam Rifles C/O 99 APO
Pin – 932042.
2. No.-5420017 Nita Choudhury
Aged about 56 years
Junior Teacher, 11th Assam Rifles
C/O 99 APO, Pin – 932011.
3. No. 5410019 Surendra Thakur
Aged about 48 year
Senior Teacher, 19th Assam Rifles
C/O 99 APO, Pin – 932019.
4. No. 5420048 Joyeeta Deb
Aged about 49 years, Junior Teacher
27th Assam Rifles, C/O 99 APO
Pin - 932019.
5. No. 5420065 Moni Kumari
Aged about 42 years, Junior Teacher
29th Assam Rifles, C/O 99 APO
Pin – 932029.
6. No. 5420034 Sanjeev Kumar Ojha
Aged about 51 years, Junior Teacher
15th Assam Rifles, C/O 99 APO
Pin – 932015.

O.A. 040/00133/2021

7. 5420030 A. Mahendra Kumar
 Aged about 51 years, Junior Teacher
 16th Assam Rifles, C/O 99 APO
 Pin – 932016.
8. 5420054 Joya Dewri
 Aged about 59 years, Junior Teacher
 3rd Assam Rifles, C/O 99 APO
 Pin – 932003.
9. No. 540028 Shaif Uddin Ahmed
 Aged about 59 years, Junior Teacher
 3rd Assam Rifles, C/O 99 APO
 Pin – 932003.
10. No. 5420031 Bitan Kumar Deb
 Aged about 51 years, Junior Teacher
 32nd Assam Rifles, C/O 99 APO
 Pin – 932032.
11. No. 5420038 Sarada Chanda
 Aged about 51 years, Junior Teacher
 1st Assam Rifles, C/O 99 APO
 Pin – 032001.



.....Applicants

By Advocate(s): Sri B. Pathak, Sri V. Kumar & R. Thadani

-VS-

1. The Union of India
 Represented by the Secretary
 To the Government of India
 Ministry of Home Affairs
 North Block, New Delhi, Pin – 110001.

O.A. 040/00133/2021

2. The Director General
Assam Rifles, Mahanideshalaya
(Director General Assam Rifles)
Shillong, Meghalaya, Pin – 793011.
3. The Brigadier (Adm.), Head Quarter
Directorate General Assam Rifles
Shillong, Meghalaya – 11.
4. The Colonel Administrative Head Quarter
Directorate General Assam Rifles
Shillong, Meghalaya – 11.

.....Respondents



ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

This matter has been taken up today through video conferencing.

2. Since all these eleven (11) applicants are seeking similar relief from the same respondents, hence their prayer for joining together to file the instant petition jointly under Rule 4(5)(a) of the CAT (Procedure) Rules, 1987 is hereby allowed.

O.A. 040/00133/2021

3. The instant O.A. has been preferred by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking for the following reliefs:

- “8.1 Implement the relief granted to Senior Teachers as per Hon'ble Guwahati High Court orders passed in Review Petition No. 124 of 2014 and the W.P. (C) No. 222 of 2015 vide order dated 27.11.2015 and not to change the service condition of the applicants (Junior Teachers) by assigning them non-teaching/combatized jobs.
- 8.2 Direct that the applicants should be engaged for civilian/teaching purpose only and not for any other purpose.
- 8.3 Consider the representation of the applicants (Annexure A/1 and A/2) or any fresh comprehensive representation filed by the applicants in the light of the similar relief given by the Hon'ble Guwahati High Court in Review Petition No. 124 of 2014 and W.P. (C) No. 222 of 2015 vide order dated 27.11.2015.
- 8.4 And/or pass any other order for any other relief to which the applicants are found entitled to under the law and the facts and circumstances of the case and;
- 8.5 Cost of the application.”

4. We have heard Sri B. Pathak, learned counsel for the applicants, perused the pleadings and all the documents enclosed with the O.A.



5. From the perusal of records, it is noted that, at para 8.3 in the instant O.A., all the applicants are asking for a direction upon the respondent authorities for disposal of their pending representations dated 17.12.2019 and 8th February, 2020, Annexure A/1 and A/2 respectively. In the said para, applicants are also asking for a direction upon the respondents to allow them to file comprehensive representation in the light of the similar relief given by the Hon'ble Guwahati High Court in Review Petition No. 124 of 2014 along with one similar Writ Petition No. 222 of 2015 vide order dated 27.11.2015. It is further noted that among others, only two applicants had approached before the respondent authorities for redressal of their grievances by way of filing representations. In view of that, without going into the merit of the case and without issuing notice upon the respondents, we deem it fit and proper to dispose of the O.A. by directing the applicants to file comprehensive representation before the appropriate authorities within a period of 30 days from the date of receipt a copy of



this order. On receipt of the same, the respondent authorities shall consider and dispose of it by passing a reasoned and speaking order within a period of three months thereafter. Ordered accordingly.

6. It is made clear that whatever decision to be passed by the respondent authorities shall be communicated to the applicants forthwith.



7. With the above directions, O.A. stands disposed of accordingly at the admission stage. No order as to costs.

(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

PB

O.A. 040/00133/2021