

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/538/2021

This the 28th day of June, 2021



HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

1. Bishamber Dass, Age 50 years, S/o Sh. Shiv Ram, R/o Village Sarmala, P/o Palanwala, Tehsil Akhnoor, District Jammu.
2. Devinder Kumar, Age 50 years, S/o Late Sh. Chajju Ram, R/o Village Naraina, P/o Khour, Tehsil Akhnoor, District Jammu.
3. Raj Kumar, Age 47 years, S/o Sh. Punnu Ram, R/o Village Khour, Tehsil Akhnoor, District Jammu.
4. Ashok Kumar, Age 53 years, S/o Sh. Ram Dass, R/o Village Bandwal, P/o Jourian, Tehsil Akhnoor, District Jammu.
5. Vijay Kumar, Age 55 years, S/o Sh. Krishan Lal, R/o Village Ambaran, Tehsil Akhnoor, District Jammu.
6. Sikander Kumar, Age 45 years, S/o Late Sh. Behari Lal, R/o Ambedkar Nagar High Court Road, Jammu.
7. Garu Ram, Age 49 years, S/o Munshi Ram, R/o Krishna Nagar, Jammu-180016.
8. Vijay Kumar, S/o Late Sh. Badri Narth, R/o H. No. 178/D Durga Nagar, Sector-I, Lane No. 4, Jammu-180013.

.....Applicant

(Advocate:- Mr. Ashwani Sharma)

Versus

1. Union Territory of Jammu and Kashmir through Principal Secretary, Power Development J&K Govt., Civil Secretariat, Jammu/Srinagar-180001.
2. The Managing Director, JPDCL, Jammu-180001.
3. Chief Engineer, JPDCL, Canal Road, Jammu-180016.

.....Respondents

(Advocate: Mr. Rajesh Thappa, learned D.A.G.)

ORDER

ORAL

(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)

The applicants are aggrieved of the inaction of the respondents in not providing them the benefits of SRO 149 of 1973 and placing them in the pay grade of Rs. 5000-8000 which is the pay grade for semi-skilled workers in terms of J&K Civil Services Revised Pay Rules, 1998.



2. It has been submitted by the learned counsel for the applicants the similar cases i.e., SWP No. 809/2001, SWP No. 1061 of 2015, SWP No. 415/2017, SWP No. 874/200, SWP No. 1078/2004, SWP No. 2295/2013, SWP No. 1691/2006, SWP No. 724/2014, SWP No. 1549 of 2014, SWP No. 990 of 2015, SWP No. 992 of 2006, SWP No. 3564/2014 have been disposed of by the Hon'ble High Court of Jammu & Kashmir wherein the respondents were directed to grant the benefits of SRO 149 of 1973 to the applicants while placing the applicants in the pay grade of Rs. 5000-8000 since the date it has become due to them. The applicant has also relied on the order dated 21.10.2020 passed by this Tribunal in OA No. 61/931/2020 and prays that a similar order may also be passed in this matter also.

3. On the other hand, learned D.A.G. submits that suitable action with regard to the claim of the applicant shall be taken in accordance with law.

4. We have heard Mr. Ashwani Sharma, learned counsel for the applicants and Mr. Rajesh Thappa, learned D.A.G. for the respondents and perused the records.



5. In view of the facts and circumstances of the case, we dispose of the O.A. with direction to Respondent No. 1 i.e., Principal Secretary to Government, Power Development Department, Jammu to consider the claim of the applicants for grant of benefit of SRO 149 of 1974 dated 07.04.1973 in the light of judgement dated 08.05.2017 passed by Division Bench of Hon'ble High Court in a bunch of writ petitions, the leading case being SWP No. 809/2001, by a speaking order within a period of two months from the date of receipt of a certified copy of the order passed today, if applicable to the present case. Needless to state that in case the applicants are found entitled to the benefit of the judgement referred to supra, the same shall be extended to them.

6. It is made clear that this Tribunal has not expressed any opinion on the merits of the case. No orders as to cost.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Sushil/Arun