

**Central Administrative Tribunal  
Principal Bench, New Delhi**



**O.A. No. 1175/2021  
M.A. No. 1464/2021**

**This the 25<sup>th</sup> day of June, 2021**

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)  
Hon'ble Mr. R.N. Singh, Member (J)**

1. Yashwant Kumar (Group C)  
S/o Late Shri Hiralal  
Age 55 years  
Working as Engineer Mate  
Directorate of Logistics  
Central Board of Indirect Taxes and Custom  
Department of Revenue  
Ministry of Finance, New Delhi  
R/o RZ-105, G-Block, Gali No. 7  
Prem Nagar, Najafgarh, New Delhi- 110043
2. Praveen V. Nair (Group C)  
S/o Shri K.P. Viswambharan Nair  
Age 42 years  
Working as Engineer Mate  
Directorate of Logistics  
Central Board of Indirect Taxes and Custom  
Department of Revenue  
Ministry of Finance, New Delhi  
R/o Flat No. 104, Customs Colony  
Headland Sada, Goa – 403804
3. Rajesh Kumar. G (Group C)  
S/o Shri N. Gopalakrishna Panicker  
Age 43 years  
Working as Engineer Mate  
Directorate of Logistics  
Central Board of Indirect Taxes and Custom  
Department of Revenue  
Ministry of Finance, New Delhi  
R/o House No. 07/2, Shopper Street  
Near Customs Office  
Cuddalore (OT), Tamil Nadu. PIN – 607003



4. S. Anand Kumar (Group C)  
 S/o Shri S Sanjeev Rao  
 Age 49 years  
 Working as Engineer Mate  
 Directorate of Logistics  
 Central Board of Indirect Taxes and Custom  
 Department of Revenue  
 Ministry of Finance, New Delhi  
 R/o 34-13-91, Rossilian St, Gnanapuram, Visakhapatnam

5. Abdul Kadir Jilani  
 S/o Late A.A. Khan  
 Age 50 years  
 Working as Engineer Mate  
 Directorate of Logistics  
 Central Board of Indirect Taxes and Custom  
 Department of Revenue  
 Ministry of Finance, New Delhi  
 R/o Type II/12, Customs Staff Quarters  
 Bikarankatti, Mangalore Karnataka

6. Jagadeesh Vemala  
 S/o Semala Maheswara Rao  
 Age 33 years  
 Working as Engineer Mate  
 Directorate of Logistics  
 Central Board of Indirect Taxes and Custom  
 Department of Revenue  
 Ministry of Finance, New Delhi  
 R/o Qtr No. 02, Type II, Custom Residential Complex  
 Ratnagiri. PIN – 415612

7. B. Rajiv Gandhi  
 S/o K Bala Krishnan  
 Age 36 years  
 Working as Engineer Mate  
 Directorate of Logistics  
 Central Board of Indirect Taxes and Custom  
 Department of Revenue  
 Ministry of Finance, New Delhi  
 R/o No. 66, Beach Road,  
 Customs division  
 388/1E Shanmvhapuram, Tuticorin, Tamil Nadu

... Applicants

(through Advocate: Shri Padma Kr. S.)



## **Versus**

1. Union of India,  
Through the Secretary,  
Department of Revenue  
Ministry of Finance,  
North Block, New Delhi – 110011
2. Central Board of Indirect Taxes and Customs  
Through its Chairman  
Department of Revenue  
Ministry of Finance  
Gr. Floor, Hudco Vishala Building  
Bhikaji – Cama Place,  
New Delhi
3. Commissioner (Logistics)  
Directorate of Logistics  
Customs & Central Excise  
4<sup>th</sup> Floor, 'A' Wingh, Lok Nayak Bhawan  
Khan Market, New Delhi - 110511

... Respondents

(through Advocate: Shri Ashok Sharma)

## ORDER (Oral)



### **Hon'ble Mr. R. N. Singh, Member (J):**

The applicants, 7 in numbers, have filed the present OA u/s 19 of AT Act, 1985, praying therein for the following reliefs:-

- (i) *Declare the action of the respondents in not considering the representations of the Applicants as illegal and arbitrary.*
- (ii) *Direct the respondents to consider their representation and grant the consequential benefits arising thereof at the earliest.*
- (iii) *Grant any other relief as deemed appropriate under the facts and circumstances of the case.”*

2. Shri Padma Kumar S., learned counsel for the applicants submits that as the applicants are similarly situated and have prayed for similar reliefs, they have filed MA No. 1464/2021, seeking permission of the Tribunal to file the OA jointly.

3. Learned counsel for the applicants submits that it is an admitted case of the respondents that there is an anomaly resulting into discrimination to the applicants in the matter of revision of their pay. Learned counsel for the applicants refers to a proposal dated 12.10.2011 (Annexure A-3). He submits that in spite of applicants' representations dated (Annexure A-1 & A-2 respectively), the respondents



have neglected to consider the claim of the applicants and the said representations are still lying pending with the respondents.

4. Issue notice. Sh. Ashok Sharma, learned senior Central Government counsel, who appears for respondents on advance service, accepts notice.

5. Learned counsel for the applicants submits that the applicants will be satisfied if the present OA is disposed of with the directions to respondents to consider the applicants' aforesaid representations and to dispose of the same by passing a reasoned and speaking order in a time bound manner.

6. We are of the considered view that if such request on behalf of the applicants is accepted, no prejudice is likely to be caused to the respondents.

7. In view of aforesaid facts and circumstances, the MA is allowed. Without going into the merit of the case, the present OA is disposed of with direction to the respondents to consider the applicants' aforesaid representations (Annexure A-1 & A-2) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within a period of eight weeks of receipt of a copy of this order.

8. OA is accordingly, disposed of in the aforesaid terms.

No order as to costs.



**(R.N. Singh)**  
**Member (J)**

**(A. K. Bishnoi)**  
**Member (A)**

*akshaya/pinky/arti/*