



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

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

This the 25th 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
4th 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/