

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW**

Original Application No. 60/2021

(Through Video Conferencing)

This, the 9th day of April, 2021

HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)

HON'BLE MR. R.N. SINGH, MEMBER (J)



1. Nand Kumar Srivastava, aged about 63 years, son of Late Shri Ram Lakhan Srivastava, Resident of 565/181, Jai Prakash Nagar Alambagh, Lucknow.
2. Manoj Kumar Bisht, aged about 50 years, son of Shri Harish Singh Bisht, Resident of 106 Rahat apartment, Prag Narayan Road, Lucknow.
3. Gopal Ji shukla, aged about 49 years, son of Shri Tej Narain Shukla Resident of 639/105/1, Awadh Kunj, Faridi Nagar, Lucknow.
4. Jitendra Kumar Verma, aged about 52 years, son of Late Shri Raja Ram Verma, Resident of 610/340/1 Kesav Nagar, Lucknow.
5. Vinay Kumar, aged about 41 years, son of Shri Haridwar Ram, Resident of 8/2 Pathak Puram, Raebareli Road, Lucknow.
6. Hitendra Kumar, aged about 38 years, son of Shri Ram Kumar, Resident of E-III, 302 Sector H, Aliganj, Lucknow.

7. Munish Shankar, aged about 39 years, son of Shri Daya Shanker, Resident of 295/8/1, Shankar Bhawan, Deen Dayal Road Ashrafafād, Lucknow.
8. Shanti Bhushan, aged about 39 years son of Shri Daya Shanker, Resident of 645 A/1255 A Saraswati Puram, Jankipuram, Lucknow.
9. Babu Ram, aged about 39 years son of Shri Nand Ram, Resident of 702, Rahat Apartment, 60B Prag Narayan Road, Lucknow.
10. AshuJeet Bhattacharjee, aged about 41 years, son of Shri Tappon Kumar Bhattacharjee, Resident of C-229, Sector A, Mahanagar Lucknow.
11. Sudhir Kumar aged about 50 years, son of Shri Rajendra Kumar Vasih, Resident of C-1/698, Vishal Khand, Gomti Nagar, Lucknow.
12. Anilesh Kumar Rai aged about 38 years, son of Shri H.N. Rai, R/o U-905, Satluj Apartment, Gomti Nagar Extension, Lucknow.
13. Narayan Singh Rawat, aged about 51 years, S/o late Sri Bhawan Singh Rawat, R/o E-5, Income Tax Colony, Wazir Hasan Road, Lucknow.



....Applicants

By Advocate : Shri Praveen Kumar

Versus

1. Union of India, through the Secretary Revenue, Ministry of Finance, Government of India, Department of Revenue, New Delhi-110001.

2. The Chairman, Central Board of Indirect Taxes & Customs, Ministry of Finance, North Block, New Delhi-110001.
3. The Principal Chief Commissioner, CGST & Central Excise Lucknow Zone, 7A, Ashok Marg, Lucknow 226001.
4. The Commissioner, CGST & Central Excise Commissionerate, 7A Ashok Marg Lucknow 226001.
5. The Commissioner, CGST & Central Excise Audit Commissionerate, 7 Havelock Road, Lucknow 226001.
6. The Commissioner, CGST & Central Excise Commissionerate, 113/4 Sanjay Place, Agra.
7. The Commissioner, customs (Prev.) Commissionerate, Hall No. 3, 5th Floor Kendriya Bhawan, Sector-H Aliganj, Lucknow.
8. The Additional Director General Directorate General of Vigilance Customs & Central Excise, 7-R Dali bagh, Lucknow.



...Respondents

By Advocate : Ms Prayagmati Gupta

ORDER(ORAL)

BY A MUKHOPADHAYA, MEMBER (A)

MA No.332/00187/2021 under rule 4(5)(a) of CAT (Procedure) Rules 1987 for pursuing the case jointly is allowed as all the applicants are similarly situated employees with a common cause of action.

2. Heard the learned counsel for the applicants as well as learned counsel for the respondents and perused the record.
3. Learned counsel for the applicant states that the applicants are similarly situated as the applicants of OA Nos 1982 of 2018 and 2240 of 2018 wherein an order has been passed by the Principal Bench on 21.05.2018 as well as OA No. 545/2018, where an order has been passed by this Bench on 18.12.2019 in favour of the applicants therein. The learned counsel for the applicant prayed that directions may be issued to the respondents/ competent authority to consider and decide the representations of different dates of the present applicants as contained in Annexure A-7 in the light of the order passed by the Lucknow Bench in OA No. 545/2018. He also states that the respondents have already taken steps to comply with abovementioned orders passed by this



Bench. This position has not been contested by the learned counsel for the respondents.

4. Given this position, we direct the respondents/competent authority to consider and decide the pending representations of the applicants as contained in annexure no. A-7 in the light of the aforementioned orders passed by the Principal Bench in OA Nos. 1982 of 2018 and 2240 of 2018 as well as OA No. 545 of 2018 by this Bench. If it is found in this exercise that the present applicants are similarly situated persons as the applicants of the cited OAs, then similar benefits also be extended to them. If not, the respondents shall dispose of the representations by way of reasoned and speaking order/s specifically clarifying the dissimilarities in question and communicating the same to the concerned respondent/s. The aforesaid exercise is to be carried out within a period of three months from the date of receipt of a certified copy of this order.

5. With the above directions, the OA stands disposed of. There shall be no order as to costs.

(R.N. SINGH)
MEMBER (J)

(A.MUKHOPADHAYAY)
MEMBER (A)