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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

.....

Registration No. 114 of 1986 (T)
(Civil Appeal No. 280 of 1980)

Sri Ram alias Devi Ram

...

APPLICANT
(Plaintiff)

versus

Union of India and others

...

RESPONDENTS
(Defendants)

connected with

Registration No. 115 of 1986 (T)
(Civil Appeal No. 259 of 1980)

Gopal Singh and others

...

APPLICANTS
(Plaintiffs)

versus

Union of India and others

RESPONDENTS
(Defendants)

.....

Hon. Justice S. Zaheer Hasan, V.C.

Hon. A. Johri, Member (A)

Civil Appeals Nos. 280 and 259 of 1980
have been transferred to this Tribunal under section
29 of the Administrative Tribunals Act, 1985.

Fortythree plaintiffs filed suit
no. 244 of 1979 in the court of Munsif, Ghaziabad,
for declaration that they are entitled to get more
salary than their juniors, defendants nos. 3 to 12
after getting their salaries refixed and are entitled
to all the arrears and benefits arising therefrom.
This suit was dismissed mainly on the ground that
the matter was under consideration of the Department.
Aggrieved by that order Appeal No. 259 of 1980 was
filed.

Similarly, suit no. 242 of 1979 was
filed by ten plaintiffs for similar relief, and this

suit was also dismissed mainly on the aforesaid ground. Civil Appeal No. 280 of 1980 was filed against this order. Since in both appeals common questions of law and facts are involved, they are being disposed of by a common judgment *which will govern both these appeals.*

These appeals can be disposed of on a short point. It is admitted that the matter is under consideration of the Department and no final decision has yet been taken. In view of this fact, the learned Munsif was justified in dismissing the suits, and the appeals are liable to be dismissed.

Both the appeals are dismissed with the remark that the matter in respect of the plaintiffs in both the suits pending consideration in the Department concerned should be decided within three months from the date of the receipt of the order.

A copy of this order may be placed on the file of Registration No. 115 of 1986(T) (Civil Appeal No. 259 of 1980). Parties shall bear their own costs.

[Signature]

Vice Chairman

D/- February 3, 1987.

AAK

[Signature]

Member (A)