

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 1st day of November 2000.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

ORIGINAL APPLICATION NO. 1631 of 1999

Trilok Singh,
S/o Late Pratap Singh,
R/o Office of D.I.G.,
Frontier Academy,
S.S.B. Gwaldam,
District Chamoli.

... Applicant

C/A Shri S.Chandra
Shri S.P. Kapoor

Versus

1. Union of India through
Cabinet Secretary,
Central Sedretriarte,
New Delhi.
2. Director General of Secretary
Office of the Director, S.S.B. East
Block, R.K. Puram,
New Delhi.
3. D.I.G., Frontier Academy,
S.S.B. Gwaldam,
Distt. Chamoli.

... Respondents

C/Rs Km. Sadhana Srivastava

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ALONG WITH

ORIGINAL APPLICATION NO. 526 of 2000

1. S. C. Lohani, Accountant, S/O S. N. Lohani
2. M. S. Pangtey, Assistant, S/O C. S. Pangtey
3. B.S. Mehra, Personal Assistant, S/O P.S. Mehra
4. N. D. Kapoor, U.D.C. S/O Sri Daulat Ram
5. R. S. Chauhan, U.D.C. S/O Sri Mathar Singh
6. S. K. Tanta, U.D.C. S/O Sri Moti Prasad
7. C. C. Uprati, U.D.C. S/O Sri D. D. Uprati
8. Rajendra Ram, U.D.C. S/O Sri Umed Ram
9. B. N. Saikia, Storekeeper, S/O ^{Krishna} ~~Prishna~~ Kathyhet Ram
10. K. S. Kathyat, Storekeeper, S/O N. S. Kathyet
11. Smt. S. L. Gupta, Staff Nurse, S/O Arvind Kumar
12. R. C. Manali, U.D.C. S/O Ratanmani Manali
13. D. S. Bisht, Pharmacist, S/O Durlabh Singh
14. Sunil Malik, Pharmacist, S/O Jagpal Singh
15. Sushil Chandra, Pharmacist, S/O Kedar Dutt
16. Pawan Kumar, Lab. Tech. S/O Kanaki Singh
17. Mahesh Kumar, Lab. Tech. S/O P. D. Sharma
18. M. S. Bisht, LDC. S/O Khim Singh
19. M. S. Dhanik, L.D.C. S/O Late M. S. Dhanik
20. G. C. Nayak, L.D.C. S/O Nepal Charan
21. R. A. Pal, L.D.C. S/O Sarju Prasad
22. L. S. Bora, L.D.C. S/O B. S. Bora

22. R. C. Manali, U.D.C. S/O Ratanmani Manali3/-

13. D. S. Bisht, Pharmacist, S/O Durlabh Singh

14. Sunil Malik, Pharmacist, S/O Jagpal Singh

15. Sushil Chandra, Pharmacist, S/O Kedar Dutt

16. Pawan Kumar, Lab. Tech. S/O Kanaki Singh

17. Mahesh Kumar, Lab. Tech. S/O P. D. Sharma

23. N. C. Pandey, L.D.C. S/O D. D. Pandey
24. Fundan Singh, L.D.C. S/O Dal Singh
25. Narayan Singh, L.D.C. S/O Gopal Singh
26. Diwan Singh, Driver S/O Vijai Singh
27. Bachhi Ram, Driver S/O Chandar Ram
28. G. D. Joshi, Driver S/O Durga Dutt
29. B. D. Lohani, Driver S/O S. N. Lohani
30. Darwan Singh, Driver S/O Govind Singh
31. Alam Ram, Driver S/O Sobh Ram
32. Prem Prakash, Driver S/O Kham Chand
33. Bhuvan Chandra, Driver S/O Hari Ram
34. Jagdish Chandra, Sharma, S/O Hari Dutt
(Driver)
35. Madan Singh, Driver S/O Padam Singh
36. Lal Singh, Driver S/O Diwan Singh
37. Govind Ram, Driver S/O Ram Ram
38. Rajiv Kumar, Driver S/O Ram Gopal Singh
39. Jasbeer Singh Pal, Driver S/O Phool Singh
40. Ranjeet Singh, Peon S/O Kedar Singh
41. Mohan Singh, Peon S/O Dhan Singh
42. Umed Singh, Peon S/O Kunwar Singh
43. Hari Ram, Peon S/O Bir Ram
44. Bhim Singh, Jalal, Peon S/O Shaban Singh
45. Gopal Singh, Peon S/O Moti Singh
46. Khushal Singh Bisht, Peon S/O Kedar Singh
47. Prem Singh, Peon S/O Daleep Singh
48. Kushal Singh, Peon S/O Himmat Singh
49. Darwan Singh, Peon S/O Hark Singh
50. Khushal Singh Kunwar, Peon S/O Kushal Singh
51. Khilap Singh, Peon S/O Chandar Singh

52. Bhupal Singh Bachkheti, Peon S/O Hira Ballab
53. Ajay Kumar Upreti, Peon S/O Surendar Kumar
54. Bhuvan Nath Goswami, Peon S/O Balak Nath
55. Shankar Dutt, Farash S/O Tika Ram
56. Bachi Ram Mishra, Farash S/O Prampati Mishra
57. Girish Chandra Pradhan, Farash S/O Hari Krishna
58. Amar Singh Gariya, Mali S/O Chandar Singh
59. Khima Nand, Mali S/O Devi Dutt
60. Trilok Singh, Mali S/O Pram Singh
61. Kamal Singh, Mali S/O Man Singh
62. Chander Singh, Mali S/O Gopal Singh
63. Kanta Prasad, Mali S/O Dharam Dutt
64. Jagannath Pandey, Mali S/O A. N. Pandey
65. Kharak Singh, Waterman S/O Trilok Singh
66. Ganga Ram, Waterman S/O Alam Ram
67. R. S. Butola, Waterman S/O Gabbar Singh
68. Rudra Singh Dhami, Bhisti S/O Diwan Singh
69. Madho Ram, Bhisti S/O Dulat Ram
70. R. D. Pathak, Bhisti S/O Devi Dutt
71. Prem Singh, Bhisti S/O Hira Singh
72. Madan Ram, Helper S/O Gushain Ram
73. Diwan Singh, Cleaner S/O Kamal Singh
74. J. N. Dhondiyal, Cleaner S/O Deav Ram
75. Ghanshyam Giri, Cleaner S/O Harish Giri
76. Attar Singh, Cleaner S/O Late Ludar Singh
77. M. K. Dhondiyal, Cleaner S/O Govind Ballab
78. Bharat Singh Bisht, Cleaner S/O Darwan Singh
79. Nathu Ram, Chowkidar S/O Hari Ram

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80. Prabhu Dayal, Chaukidar S/O Hayaran Lal
81. Dharma Nand, Chowkidar S/O Kripal Dutt
82. Mohan Prasad, Chowkidar S/O Guna Nand
83. Shiv Singh, Chowkidar S/O Bhadur Singh
84. Dinesh Chandra, Washerman S/O Gori Dutt
85. Radheyshyam, Safaiwala S/o Roshan Lal
86. Hari Krishan, -do- S/O Choti Lal
87. Salga Ram, -do- S/O Gummari Ram
88. Banke Lal, -do- S/O Gaman Singh
89. Chander Ram, -do- S/O Jash Ram
90. Mohan Ram, -do- S/O Jash Ram
91. Ram Autar, -do- S/O Bhudur
92. Durga Ram, -do- S/O Amar Ram
93. Harish, -do- S/O Pyare Lal
94. Ram Charan, -do- S/O Bhaya Lal
95. Govind Ram, -do- S/O Nathu Ram
96. Smt. Meena Devi -do- S/O Late Budhu
97. Gopi Lal, -do- S/O Ragi
98. Vinod Kumar, -do- S/O Charan
99. Rajpal Singh, -do- S/O Ram Prasad Singh
100. Jashwant Singh -do- S/O Pyare Lal
101. Ashok Kumar, -do- S/O Rajjan Lal
102. Umesh Lal, -do- S/O Jagdish Lal
103. Ram Phal, -do- S/O Neki Ram
104. P.N. Kadam, Pump Attendant S/O Narayan Kadam
105. N. C. Chaudhary, F.P.O. S/O Malik Lal
106. Bhupal Singh, Nursing Assistant S/O Alam Singh
107. Vinod Lal, Nursing Assistant S/O Manohari Lal
108. Abbal Singh, Nursing Assistant S/O Bachan Singh



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109. H. S. Chauhan, U.D.C. S/O N. K. Chauhan
110. G. C. Kandpal, Storekeeper S/O M.S. Kandpal
111. G. C. Sharma, U.D.C. S/O N. C. Sharma
112. S. S. Mehra, L.D.C. S/O Late P.S. Mehra
113. Saran Lal, Safaiwala S/O Ram Swaroop
114. Chander Lal, Peon S/O Munashi Lal

All the applicants working in the office
of D.I.G - Frontier Academy S.S.B. Gwaldam
District- Chamoli.

.....Applicants.

C/A Shri S. Chandra & Shri S.P. Kapoor

Versus.

1. Union of India through cabinet
Secretary,
Central Secretariate,
New Delhi.
2. Director General of
Secretary, office of
the Director,
S.S.B. East Block,
R. K. Puram,
New Delhi-110066.
3. D.I.G. Frontier Academy S.S.B. Gwaldam
Dist. (Chamoli).

Respondents.

C/Rs. Shri R.C. Joshi

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O R D E R (Oral)

Hon'ble Mr. S.K.I. Naqvi, Member-J

In OA 1631 of 1999 Shri Trilok Singh, the applicant, has come up seeking relief to the effect that the respondents be directed to sanction ration allowance to him and to decide the representation within reasonable time. Like wise in OA 526 of 2000 Shri S.C. Lohani and 113 others have come up seeking relief of the similar nature for direction to the respondents to sanction the ration allowance and decide the pending representation, copy of which has been annexed as annexure A-3 to this O.A.

2. In short the case of the applicants is that they are working in the respondents organization and the similarly situated employees in other organization are getting ration allowance under the orders of C.A.T, ^{ha} Ghati Bench as per O.A. 108 of 1999. Therefore, applicants are also entitled for the same. Applicants have also mentioned in the O.A. that they represented before the authorities in the department through representation dated 25.8.99, copy of which has been annexed as annexure A-3, but the same is still pending orders.

3. Respondents have contested the case, ~~and~~
~~in OA 1631 of 1999.~~

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4. Heard Shri S.P. Kapoor learned counsel for the applicant in both the OAs and Km. Sadhana Srivastava in OA 1631 of 1999 and Shri R.c. Joshi, for the respondents in OA 526 of 2000, for the respondents.

5. Shri Kapoor has submitted that the employees of the organization similarly situated in Arunachal Pradesh are getting ration allowance, but the same is being denied to the applicants before this Court which is unreasonable discrimination and, therefore, the authorities ^{be} ~~are~~ directed to provide the similar benefits to these applicants also.

6. On behalf of the respondents it has been pleaded that the case referred from the side of the applicant is not applicable here because the applicants in these matters were not party in that O.A. before Gohati Bench. More over, the allowance admissible as per rules is available to the executive ranks only and the applicant in the present case ^{are not party to that} ~~are not party to that~~ and, therefore, are not entitled for ration allowance.

7. I find the ~~number of~~ law laid down in the referred case is applicable in rem and cannot be denied only on the ground that the particular employees, who are similarly situated, are not party therein. The categorisation of staff, as mentioned on behalf of the respondents, has been dealt in details in the

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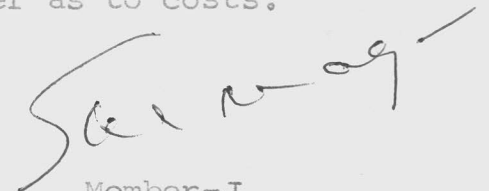
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referred judgment of ^{for} Gohati Bench of C.A.T. and similar arguments placed before that Bench has been repulsed.

8. For the above I find that the applicants ~~are~~^{is} also entitled to ration allowance as provided to the staff of the respondents organisation in compliance of referred judgment by the ^{for} Gohati Bench of C.A.T.

9. The respondents are directed to provide ration allowance to the applicant with effect from the date of this order.

10. There shall be no order as to costs.


Member-J

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