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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A. No.585 of 2010
Nagendranath Das & Others Applicants
Versus
Union of India & Ors. ... Respondents

1. Order dated: 30-09-2010.

C O R A M
THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)

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Heard Mr.M.Basu, Learned Counsel for the Applicants and Mr.R.C.Behera, Learned ASC for the Union of India appearing on notice for the Respondents both on the OA as well as on MA No.621/2010 filed by the Applicants seeking permission to prosecute this OA jointly.

2. There are 21 applicants who have joined together in this OA. Considering the facts and submissions made, MA No.621/2010 stands disposed of permitting the 21 Applicants to prosecute this OA jointly.

3. In the OA filed under section 19 of the A.T.Act, 1985, the grievance of the Applicants that although their case is covered by the decision of the Ernakulam Bench of the Tribunal based on which the Applicants before the Ernakulam Bench were allowed pensionary benefits by taking into consideration of their temporary period of service and regular scale of pay to those employees on regular basis in Gr. D post in the Department and regularization by the order of the NYKS issued in 2009, the applicants were deprived of the same despite of representations under Annexure-A/6 dated 10.02.2010. To buttress the stand taken in the OA,


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Learned Counsel for the Applicant has also placed into service copy of the decision of the Hon'ble Supreme Court rendered in the case of Dhirendra Chamoli and another v State of UP, (1986) 1 SCC 637. Having heard them at length, perused the materials placed on record including the decision relied on by the Learned Counsel for the Applicants. It is seen that by making representations under Annexure-A/6 to the Respondent No.2 the applicants, in fact, have prayed for extension of the benefits granted to similarly situated employees working in other parts in India under the present Respondents pursuant to the order of the Ernakulam Bench of the Tribunal. According to the Learned Counsel for the Applicants no decision has been taken on the said representation of the Applicants till date.

4. In view of the above, this OA is disposed of at this admission stage, as agreed to by Learned Counsel for both sides, with direction to the Respondent No.2 to consider the grievance of the applicants raised in their representation under Annexure-A/6 and communicate the decision in a well reasoned order to each of the applicants. The entire exercise shall be completed within a period of 60(sixty) days from the date of receipt of copy of this order.

5. Send copies of this order along with OA to the Respondent No.2 for compliance.


Member (Admn.)