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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00445 of 2015

Cuttack, this the 6th day of August, 2015

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (J)

HON'BLE MR. R.C. MISRA, MEMBER (A)

1. Harish Chandra Das,
aged about 54 years, Son of Mahendranath Das.
2. Susamarani,
aged about 57 years, D/o Late Dharanidhar Patra,
3. Manas Ranjan Singh,
aged about 54 years, Son of Late Richard Kulamani Singh.
4. Bidyanath Mahali,
aged about 50 years, Son of Late Shankar Mahali.
5. Madhusudan Mohanty,
aged about 55 years, Son of Bheka Mohanty.
6. Pankaj Baran Samal,
aged about 50 years, Son of Bijay Kumar Samal.
7. Nihar Nalini Jena,
aged about 54 years, W/o. Gopal Chandra Jena.
8. Chittaranjan Behera,
aged about 53 years, Son of Late Gangadhar Behera.
9. Prakash Chanda Dey,
aged about 58 years, Son of Late Dhirendranath Dey.

Sl. Nos. 1 to 9 are working as Technical Officer-C

10. Chhotray Marandi,
aged about 49 years, Son of Late Singhray Marandi.
11. Lawrence Aind,
aged about 50 years, Son of Joseph Aind.
12. Binaya Bhusan Patra,
aged about 56 years, Son of Late Taranidhar Patra.
13. Keshab Chandra Mohanty,
aged about 55 years, Son of Late Dukhishyam Mohanty,
14. Niranjana Behera,
aged about 56 years, Son of Mukunda Behera.
15. Susanta Kumar Singh,,
aged about 51 years, Son of Late Baikunthanath Tripathy.
17. Sib Nath Paul,
aged about 56 years, Son of Nani Gopal Paul.
18. Susmita Panigrahi,
aged about 40 years, D/O. Late Sarbeswar Ghosh.
19. Laxmikanta Chand,
aged about 53 years, Son of Late Satis Chandra Chand.
20. Laxmidhar Sahoo,
aged about 48 years, Son of Gobindra Chandra Sahoo.
21. Biswanath Dutta,
aged about 54 years, Son of Late Sudhir Chandra Dutta.

Sl. Nos. 10 to 21 are working as Technical Officer-B(TO-B)



22. Ramakrushna Sethi,
aged about 43 years, Son of Pathani Sethi.
23. Durga Prasad Das,
aged about 53 years, Son of Ramakrushna Das.
24. Bhabani Shankar Raj,
aged about 35 years, Son of Nareveram Rai.
25. Biren Chandra Hansdah,
aged about 34 years, Son of Narayan Hansdah.
26. Tushar Chandra Nayak,
aged about 35 years, Son of Laxmidhar Nayak.
27. Biram Marndi,
aged about 39 years, Son of Lugu Marndi.
28. Himansu Kumar Pradhan,
aged about 36 years, Son of Keshab Chandra Pradhan.
29. P. Chandra Sekhar,
aged about 36 years, Son of P. Lokanath.
30. Prafulla Kumar Hansda,
aged about 34 years, Son of Baidhar Hansda.

Sl. Nos. 22 to 30 are working as Technical Officer-A(TO-A)

..... Applicants

(Advocates: M/s. B.P. Satpathy, B.K. Nayak, A.K. Sahoo)

VERSUS

Union of India Represented through

1. Secretary,
Ministry of Defence, South Block,
New Delhi-110011.
2. Department of Defence Research & Development,
Ministry of Defence,
Represented through its Secretary-cum-Director General,
DRDO & Scientific Advisor to Raksha Mantry,
DRDO Bhawan, Rajaji Marg,
New Delhi-110105.
3. Director, Center for Personnel Talent Management(CEPTAM),
DRDO, Ministry of Defence,
Metcalf House, New Delhi-110054.
4. Director, Directorate of Human Resource & Development,
DRDO, DRDO Bhawan, Rajaji Marg,
New Delhi-110105.
5. Secretary,
Ministry of Personnel,
Public Grievances & Pension (Department of Personnel
& Training), 3rd Floor, Loknayak Bhawan,
Khan Market, New Delhi-110003.
6. Director, Proof & Experiential Establishment,
Ministry of Defence, Chandipur-756025,
Dist-Balasore.

..... Respondents

(Advocate: Mr. B.P. Nayak)



ORDER(Oral)

A.K. PATNAIK, MEMBER (J):

Heard Mr. B.P. Satpathy, Ld. Counsel appearing for the Applicant and Mr. B.P. Nayak, Ld. Ld. ACGSC appearing for the Respondents and perused the materials placed on record.

2. M.A. No. 302/15 filed by the applicants to prosecute this case jointly is allowed subject to payment of Rs.50/- per applicant except applicant No.1. by 11.08.2015. M.A. is, accordingly, disposed of.

3. Facts of the case are that the applicants were all appointed to the base level post of Technical Cadre Category-B. Similarly, persons were also appointed to the base level post of Technical Cadre Category-A. While so working, the DRDO Technical Cadre Recruitment Rules, 2000 ^{were} ~~was~~ published. In the said Rules discrimination was made in between the employees working under Technical Cadre Category-A and Technical Cadre Category-B. The applicants though raised objections to such discrimination, but the same was not considered nor any corrective action was taken. Ventilating his grievance, applicant No.1 has submitted a representation dated 22.12.14 before the Respondent No.2 but till date no decision has been taken thereon. Hence in the present O.A. applicants have prayed for a direction to Respondents to take a decision on the representation dated 22.12.14 under Annexure-A/3 and allow the same with a reasoned order within a stipulated time.

4. Mr. Satpathy during the course of hearing on admission fairly submitted that in the instant O.A., only applicant No.1 has preferred a representation dated 22.12.2014. Therefore, he has prayed that this O.A. may be disposed of by granting liberty to rest of the applicants to file individual representations before Respondent No.2 i.e., Secretary-cum-Director General, DRDO & Scientific Advisor to Raksha Mantry within a period of two weeks'



from today and, if such representations are filed, then Respondent No.2 may be directed to dispose of the same within a stipulated time frame.

5. In view of the above, we do not find any justification to keep the present O.A. pending. Therefore, liberty is hereby granted to applicant Nos. 2 to 29 to file individual representation to Respondent No.2 i.e., Secretary-cum-Director General, DRDO & Scientific Advisor to Raksha Mantry within a period of two weeks' from today and if such representations are received, then Respondent No.2 is hereby directed to consider and dispose of the same along with the representation dated 22.12.14 of the applicant No.1 and result thereof be communicated to the applicants by way of a reasoned and speaking order within a period of six weeks from the date of receipt of such representation. The Applicants are at liberty to annex the copy of this order along with their representations. However, it is made clear that if the representations are not filed by the applicants within two weeks from today, then they will forfeit their chance to file any representation thereafter and Respondent No.2 shall only consider the representation dated 22.12.14 and communicate the decision thereof to applicant No.1. No costs.

6. On the prayer made by Mr. Satpathy, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent No. 2 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 11.08.2015.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)