

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A No.423/94

Friday this the 29th day of April, 1994.

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. P.R.Sukumaran Nair,
Karthika, Kanichukulangra (PO)
Mararikkulam North, Alleppey Dist.
Kerala.
2. N.Ramachandran, Parappillil House,
Thiruvamkulam P.O. ,Tripunithura.
3. K.Gopinathan,
Kozhakkarpillil House,
Ramamangalam (PO), Ernakulam Dist.
4. K.K.Hariharan,
Karuna, Kannankulangara,
Tripunithura -682 301,
Ernakulam District.
5. Meenakshi Nathan Pillai,
'Shanker Nilayam',
Avalookunneth P.O., Alleppey.
6. Philomina Thomas,
Vazhakoottathil, Elamkulam Road,
Kaloor, Kochi-17.
7. T.J.Accamma,
Thoppil House, Edappally.
8. K.M.Baby,
'Nikerthil' House,
Ramavarma Junction, Alleppey. Applicants

(By Advocate M/s K.Kesavan Kutty and V.C.Anitha)

vs.

1. Union of India,
represented by the Secretary,
Ministry of Defence, New Delhi.
2. Flag Officer,Commanding-in-Chief,
Head Quarters, Southern Naval Command,
Kochi-4.
3. Administrative Officer(Civilian),
Head Quarters,
Southern Naval Command,
Kochi-4. Respondents

(By Advocate Mr. V.Ajith Narayanan)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant moved this Tribunal claiming the benefits granted

to the applicant in O.A.1995/93. Whether a person is similarly situated as another, is a question of fact. Relief cannot be granted on the basis of vague pleadings of similarity stating that the applicant in a particular case is similarly situated as the applicants in another case. We frequently come across such cases. A fact adjudication must precede a decision. The competent authority must make a fact adjudication and ascertain whether applicants are similarly situated as the applicant in the case aforementioned, or whether there are any points of difference.

2. If the applicants are similarly situated, reliefs granted to the applicant in O.A.1995/93 will be granted to applicants herein. A determination will be made by the competent authority within six months from today. Applicants will furnish details of their service to the competent authority within 15 days from today, failing which this order will stand recalled and the O.A. will stand dismissed. We alert respondents to adhere to the time schedule.
3. Application is allowed with the aforesaid directions. No costs.

Dated the 29th April, 1994.


P.V.VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN