

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH.

O.A.No. 580 of 1994

Thursday this the 21st day of April, 1994

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.S.KASIPANDIAN, ADMINISTRATIVE MEMBER

1. K.Sureshkumar, Draughtsman(Electrical)  
Naval Ship Repair Yard  
Naval Base, Kochi.
2. D.Vijayan, Head Draughtsman (Engineering)  
Pre Commissioned Training School  
INS Vendurithy, Naval Base,Kochi.
3. C.X.Sebastian, Draughtsman  
(Engineering), N.S.R.Y, Naval Base  
Kochi.
4. S.B.Peter Alosious, Sr.Draughtsman  
INS Vendurithy, Koci.
5. P.P.Kurian, Head Draughtsman  
(Electrical), INS Vendurithy,  
Kochi.
6. M.Gopinathan, Head Draughtsman  
(Electrical), N.S.R.Y. Kochi.
7. K.T.Johney, Head Draughtsman  
Dte. of Installation Nafal Training,  
Naval Base, Kochi.
8. S.Anilkumar, Head Draughtsman,  
Dte. of Installation Naval Training,  
Naval Base, Kochi.
9. N.Anirudhan, Sr.Draghtsman (Engg)  
Observer School, INS Garuda  
Naval Base, Kochi.
- 10.P.N.Surandran, Draughtsman  
(Engineering), Signal School,  
INS Venduruthy, Naval Base.Kochi. ....Applicants

(By Advocate Mr. T.A. Rajan)

Vs.

1. Union of India represented by  
Secretary, Ministry of Defence  
New Delhi.
2. The Flag Officer-Commanding-in-Chief,  
Headquarters, Southern Naval Command,  
Kochi-4.
3. The Chief Staff Officer (Personnel &  
Administration),Headquarters,  
Southern Naval Command,Kochi. ....Respondents

(By Advocate Mr.Mathew J Nedumpara, ACGSC)

ORDER

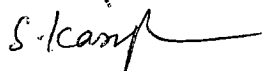
CHETTUR SANKARAN NAIR(J) VICE CHAIRMAN

Applicant moved this Tribunal claiming the benefits granted to the applicants in O.A.434/89. 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 applicants in the case aforementioned, or whether there are any points of difference.

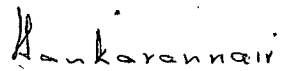
2. If the applicants are similarly situated, reliefs granted to the applicants in O.A.434/89 will be granted to applicants herein. A determination will be made by the competent authority within five months from today. Applicants will furnish details of their service to the competent authority within 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 21st April, 1994.



S.KASIPANDIAN  
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN