

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A No. 615/94

Wednesday this the 27th day of April, 1994.

CORAM:

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

HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. P.G.Sadahandan, Internal Combust Engine Fitter, (Highly Skilled Grade-I), Naval Ship Repair Yard, Naval Base, Kochi.
2. K.V.Antony, Internal Combust Engine Fitter, (Highly Skilled Grade-I), Naval Ship Repair Yard, Naval Base, Kochi.
3. C.D.Unnikrishnan, Internal Combust Engine Fitter, (Highly Skilled Grade-I), Naval Ship Repair Yard, Naval Base, Kochi.
4. Kunjachan Abraham, Internal Combust Engine Fitter, (Highly Skilled Grade I), Naval Ship Repair yard, Naval base, Kochi.
5. George John, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base, Kochi.
6. K.Raveendran Pillai, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base, Kochi.
7. P.Pushparajan, Internal Combust Engine Fitter, (Highly Skilled Grade I), Naval Ship Repair yard, Naval Base, Kochi.
8. A.P.Jaimmy, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base, Kochi.
9. T.V.David, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base. Kochi.
10. V.R.Hariram, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval base, Kochi.
11. T.V.Thomas, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base, Kochi.

12. K.P.Shabu, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base. Kochi.
13. N.Chandran, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base. Kochi.
14. G.S.Mohanam Pillai, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base, Kochi.
15. Baby Paul, Internal Combust Engine Fitter, (Highly Skilled Grade-II), Naval Ship Repair Yard, Naval Base, Kochi.
16. O.V.Kuttan, Internal Combust Engine Fitter, (Highly Skilled Grade II), Naval Ship Repair Yard, Naval Base, Kochi.
17. T.K.Karthiyani, Engine Fitter(Skilled) Naval Ship Repair Yard, Naval base, Kochi.
18. N.X.Xavier, Senior Chargeman, Naval Ship Repair Yard, 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-4.

..Respondents

(By Advocate Mr.C.Kochunni Nair, SCGSC)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicants 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.

3.

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 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 27th April, 1994.

P. Venkatakrishnan

P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

Chettur Sankaran Nair

CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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