

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.382/97

Monday, this the 8th day of June, 1998.

CORAM:

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

1. M Govindan Nair,
Valveman,
Working in the Office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.1,
Military Engineer Services,
Naval Base, Kochi-4.
2. K Kunjuraman,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical I,
Military Engineer Services,
Naval Base, Kochi-4.
3. MR Sadasivan,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical I,
Military Engineer Services,
Naval Base, Cochin-4.
4. G Surendran Nair,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Military Engineer Services,
Naval Base, Cochin-4.
5. KK Mohanan,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Military Engineer Services,
Naval Base, Kochi-4.
6. T Gopinathan,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.1,
Military Engineer Services,
Naval Base, Cochin-4.

- Applicants

7. R Kannan,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Military Engineer Services,
Naval Base, Kochi-4.
8. MN Ramakrishnan Nair,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.1,
Military Engineer Services,
Naval Base, Kochi-4.
9. KO Noordeen,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Military Engineer Services,
Naval Base, Kochi-4.
10. PU Poullose,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Naval Base, Kochi-4.
11. ER Balan,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Naval Base.P.O.
Kochi-4.
12. KP Ramakrishnan,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Naval Base.P.O.
Koch-4.
13. B Prakashan Pillai,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Naval Base.P.O. Kochi-4.
14. KA Joseph,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.1,
Naval Base.P.O., Kochi-4.
15. P Gopalakrishnan,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Naval Base, Kochi-4.

- Applicants

16. PP Jose,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.I,
Naval Base.P.O. Kochi-4.
17. MN Karunakaran,
Valveman,
Working in the office of the
Assistant Garrison Engineer,
Electrical/Mechanical No.1,
Naval Base.P.O., Kochi-4.

- Applicants

By Advocate Mr PK Madhusoodhanan

Vs

1. Union of India represented by
its Secretary,
Ministry of Defence,
New Delhi.
2. The Engineer-in-Chief,
Army Head Quarters,
New Delhi.
3. The Chief Engineer,
Southern Command,
Military Engineer Services,
Pune,
4. Garrison Engineer,
Military Engineer Services,
Naval Base.P.O. Kochi-4.

- Respondents

By Advocate Mr PR Ramachandra Menon, ACGSC

The application having been heard on 8.6.98, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

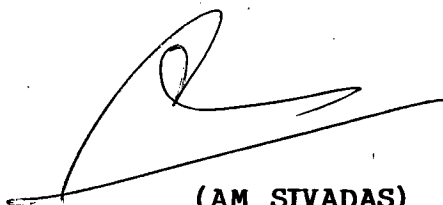
Applicants who are working as Valveman in the office of the Assistant Garrison Engineer, Kochi submit that from 1.1.86 other employees such as Electricians, Switch Board Assistants etc. are being paid night duty allowance but such payments have been denied to them. They submit that this is discriminatory and pray that respondents be directed to grant and disburse night duty

allowance to the applicants also w.e.f. 1.1.86(in the prayer wrongly mentioned as 1.1.96). Applicants also submit that from 15.4.96 they are being paid night duty allowance in terms of A.5.


2. Respondents have submitted an additional reply statement in which they have produced R.1 orders dated 24.11.97 by which it has been decided to grant night duty allowance to the applicants herein and other similarly situated persons w.e.f. 1.1.86.

3. Inas much as the respondents have already redressed the grievance of the applicants, the O.A. has become infructuous. However, learned counsel for applicants prays that the amounts due to applicants in terms of R.1 may be paid to them within a reasonable time. Learned counsel for respondents submits that the amounts will be paid within three months of today. We record the submission and dispose of this application. No costs.

Dated, the 8th June, 1998.



(AM SIVADAS)
JUDICIAL MEMBER



(PV VENKATAKRISHNAN)
ADMINISTRATIVE MEMBER

trs/9698

LIST OF ANNEXURES

1. Annexure A5: Order No.90237/4259/EIC(3)/322-CD (Civ.I)
dated 15.4.1994 issued by 1st respondent.
2. Annexure R1: Order No.PC 1 to MF 6(4)/88/D(Civ-I)
dated 24.11.1997 issued by the Ministry of Defence.

.....