

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

OA No.940/04,

OA No.941/04,

OA No.943/04,

OA No.944/04,

OA No.946/04

and

OA No.948/04

Jabalpur, this the 3rd day of March, 2005.

CORAM

Hon'ble Mr.Madan Mohan, Judicial Member

OA No.940/04

B.K.Pathak
S/o Late Shri B.L.Pathak
C/123, Nehru Nagar
Kotra Sultanbad
Bhopal.

Applicant


(By advocate Shri V.Tripathi)

Versus

1. Union of India through
Its Secretary
Ministry of Home Affairs
Intelligence Bureau
New Delhi.
2. The Director
Intelligence Bureau (MHA)
Govt. of India
New Delhi.
3. The Deputy Director
Subsidiary Intelligence Bureau
Govt. of India (MHA)
Charimli, Bhopal.

Respondents

(By advocate Shri K.N.Pethia)



OA No.941/04

V.K.Mulchandani

S/o Late Shri Khubchand Mulchandani
R/o H-46, Shastri Nagar
Bhopal.

Applicant

(By advocate Shri V.Tripathi)

Versus

1. Union of India through
Ministry of Communication
Department of Posts
New Delhi.
2. The Chief Post Master General
M.P.Circle, Bhopal.
3. Superintendent of Post Offices
Bhopal Division
Bhopal.

Respondents.

(By advocate Shri K.N.Pethia)

OA No.943/04

Angelus Alexander
S/o Shri Charles Alexander
R/o H.No. 151, Behind Union Bank
Colony, Jahangirabad
Bhopal.

Applicant

(By advocate Shri V.Tripathi)

Versus

1. Union of India
Ministry of Communication
Department of Posts
New Delhi.
2. The Chief Post Master General
M.P.Circle, Bhopal.
3. Superintendent of Post Offices
Bhopal Division
Bhopal.

Respondents.

(By advocate Shri A.P.Khare on behalf of.
Shri Manish Chourasia)

OA No.944/04

G.P.Arora
S/o Late Shri R.B.Arora
Sikh Mohalla, Ganj Basoda
Vidisha.

Applicant

(By advocate Shri V.Tripathi)

Versus

1. Union of India
Ministry of Communication
Department of Posts
New Delhi.
2. The Chief Post Master General
M.P.Circle, Bhopal.
3. Superintendent of Post Offices
Bhopal Division
Bhopal.

Respondents.

(By advocate Shri K.N.Pethia)

OA No.946/04

G.N.Lede
S/o Shri N.N.Lede
Fine Avenue, Nayopura
Kolar Road
Bhopal.

Applicant

By advocate Shri V.Tripathi)

Versus

1. Union of India
Ministry of Communication
Department of Posts
New Delhi.
2. The Chief Post Master General
M.P.Circle, Bhopal.



3. Superintendent of Post Offices
Bhopal Division
Bhopal.

Respondents.

(By advocate Shri S.K.Mishra)

OA No.948/04

D.B.Parwani
S/o Late Shri Bherumal Parwani
H.No.361/9-B, Saket Nagar
Bhopal.

Applicant

(By advocate Shri V.Tripathi)

Versus

1. Union of India
Ministry of Communication
Department of Posts
New Delhi.
2. The Chief Post Master General
M.P.Circle, Bhopal.
3. Superintendent of Post Offices
Bhopal Division
Bhopal.

Respondents.

(By advocate Shri K.N.Pethia)

ORDER

By Madan Mohan, Judicial Member

As the issue involved in all these OAs is common and the facts and grounds raised are identical, for the sake of convenience, these Original Applications are being disposed of by this common order.


2. By filing the aforesaid OAs, the applicants have sought a direction to the respondents to extend the benefit of judgment passed by the Mumbai Bench (FB) in OA No.542, 942 and 943 of 1997 decided on 21.9.2001 (Baburao Shanker Dhuri and others Vs. Union of India and others) Annexure A3 to the applicants also and direct the respondents to pay 97% DA in pay for the purpose of emoluments for calculating DCRG to the applicants.

3. Heard the learned counsel for both parties.

4. The learned counsel for the respondents states that the Hon'ble Supreme Court in the case of State of Punjab & Others Vs. Amar Nath Goyal & Others, in civil appeal No.129 of 2003, vide order dated 27.7.2004 has ordered that the writ petitions pending before the Mumbai High Court shall stand transferred to this Court. He further submitted that the matter involved in these OAs and the matter involved before the Hon'ble Supreme Court in the aforesaid Civil Appeal are exactly similar. Hence, as now this matter is sub-judice before the Hon'ble Supreme Court, the outcome of the said Civil Appeal shall be applicable to the present OAs. He further argued that a similar matter was decided in OA No.703/2003 & Other OAs – Ramanand Saxena & Ors. Vs. UOI & Ors. decided on 3rd Feb.2005 and in OA No.947/04 decided on 16th February 2005 in the case of B.B.Sharma Vs. General Manager, West Central Railway, Jabalpur & another.

5. The learned counsel for the applicants accepted the aforesaid arguments advanced on behalf of the respondents.

6. Accordingly, in view of the submissions made above by the parties, all the aforesaid OAs are disposed of with a direction that the outcome of the said Civil Appeal No.129/2003 shall be applicable in the present OAs.


(Madan Mohan)
Judicial Member