

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00954/14

Decided on: 30.10.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mrs. Rajwant Sandhu, Member (A)**

1. Parsar Bharti (BCI), Group - D employees Union, Doordarshan Kendra, Bhagwan Mahavir Marg, Jalandhar - 144001 through its Unit Secretary Sh. Naresh Kumar
2. Rajesh Kumar, working as Helper in the office of Doordarshan Kendra, Bhagwan Mahavir Marg, Jalandhar.

.....Applicants

Versus

1. Union of India, through Secretary, Ministry of Information and Broadcasting, New Delhi.
2. The Director (Admn.), Prasar Bharti (B.C.I.), Directorate General, Doordarshan Kendra, Doordarshan Bhawan, New Delhi -1
3. The Director, Doordarshan Kendra, Jalandhar.

.....Respondents

Present: Mr. D.R. Sharma, counsel for the applicants

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. By way of the present O.A., the applicants have sought quashing of the order dated 01.08.2014 (Annexure A-1) whereby their request for grant of 1st ACP in the pay scale of Rs.4500-7000 on completion of 12 years of service, along with all consequential benefits like revision of pay scale and arrears etc., has been

rejected and issuance of a direction to grant them the relevant benefits.

2. In support of the claim, learned counsel for the applicants submits that the similarly situated employees approached the Principal Bench of the Tribunal by filing **O.A. No. 1949 of 2012 titled Rishi Raj & Others Vs. U.O.I. & Others** which was decided on 03.04.2014 and the relevant benefits have been granted to them vide order dated 18.06.2014 (Annexure A-16). He further submits that the request of the applicants herein for the grant of similar benefits have been rejected on the ground that they were not party in that similar case.
3. We have gone through the impugned order (Annexure A-1) which clearly shows that the respondents have not taken into account the ratio laid down in the case of Rishi Raj & Others (supra) when they themselves had already extended the benefit, as allowed by the Court of Law.
4. For the order we propose to pass, there is no need to issue notice to the respondents and call for their reply.
5. In view of the law laid down by the Hon'ble Supreme Court in a number of cases that one should not be forced to knock the doors of Court of Law for the similar benefits, which have already been extended to the similarly situated persons though by virtue of judicial orders, we are left with no other option but to accept the

prayer of the applicants and quash the impugned order (Annexure A-1). The respondents are directed to take a fresh look into the matter, in the light of the law laid down in the case of Rishi Raj & Others (Supra). If the applicants herein are found entitled being similarly statuted, the relevant benefits be granted to them, otherwise a reasoned and speaking order be passed.

6. Needless to say that we have not expressed any opinion on the merits of the case.
7. Disposed of accordingly. No costs.

(RAJWANT SANDHU)
MEMBER (A)

PLACE: Chandigarh
Dated: 30.10.2014

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(SANJEEV KAUSHIK)
MEMBER (J)