

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH,
NEW DELHI**

OA No.1005/2013

New Delhi this the 24th day of April, 2017

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. P.K.Basu, Member (A)

1. All India C.P.W.D. (M.R.M.)
Karamchari Sangathan
House No.4, Gali No.1
Karkarduma Village
Delhi – 110 092
Through its General Secretary
Shri Satish Kumar.
2. Ram Prakash
S/o Shri Ram Dutt
R/o O/o Deputy DG (Hort)
CPWD, Nirman Bhawan
New Delhi.
3. Ashok Kumar Misra
S/o Shri Kishori Misra
R/o R.Division, CPWD, IP
Bhawan, New Delhi.
4. Prem Ballabh Dobriyal
S/o Shri Thagram Dobriyal
R/o Dehradun Central Division-1
CPWD, 20, Subhash Road
New Delhi.
5. Dhan Singh
S/o Late Shri Bhagat Singh
R/o Dehradun Central Division-1
CPWD, 20, Subhash Road
New Delhi.
6. Motilal Singh
S/o Shri Ramgyan Singh
R/o Dehradun Central Electricity Division
CPWD, 20, Subhash Road
New Delhi.
7. Smt. Jagwati
W/o Shri Laxmi Chand
PWD Division B-221, GTB Hospital
Shahdara, Delhi.

8. Anand Singh
S/o Shri Gour Singh
Dehradun Central Division-1
CPWD, 20, Subhash Road
New Delhi.
9. Suraj Pal
S/o Shri Munna Lal
Dehradun Central Division-1
CPWD, 20, Subhash Road
New Delhi.
10. Darban Singh
S/o Shri Aautar Singh
Dehradun Central Division-1
CPWD, 20, Subhash Road
New Delhi.
11. Bhakt Singh Darshan
S/o Shri Dhyan Singh
Dehradun, Central Electrical Division
CPWD, 20, Subhash Road
New Delhi.
12. Satyeder Prasad Singh
S/o Shri Jay Singh
Dehradun, Central Division-1
CPWD, 20, Subhash Road
New Delhi.
13. Raj Pal Singh
S/o Shri Hukum Singh
R/o C-314 Gali No.6 Durga Puri
Extension Delhi – 93.

....Applicants.

(By Advocate: Shri Manoj Joshi for Shri Naresh Kaushik)

VERSUS

1. Union of India
Through Secretary
Ministry of Urban Development
Nirman Bhawan
New Delhi.
2. Director General of Works
CPWD, Nirman Bhawan
New Delhi.

.... Respondents.

(By Advocate: Shri Hilal Haider)

ORDER (ORAL)

By Hon'ble Mr.V. Ajay Kumar, Member (J)

Heard both sides.

2. The 1st applicant is the All India CPWD (M.R.M.) Karamchari Sangathan and applicants no.2 to 13 are its members and regular Beldars/Chowkidars, whose services were regularised with effect from various dates, in the respondent No.2-CPWD, filed the OA seeking the following reliefs :-

“i. to direct the respondent to regularize the services of the applicants from the date their juniors were regularized with all consequential benefits ;

ii) grant any other relief(s) as this Hon'ble Tribunal deems fit in the facts and circumstances of the present case.”

3. It is the case of the applicants that number of their juniors were regularized on various dates prior to the date of their regularisation, hence they are entitled for regularisation of their services with effect from the date when their juniors were regularised. It is also their case that identical persons filed various OAs including OA No.700/2009 titled as **Lal Chand Paswan & Ors. Vs. UOI & Ors.** dated 20.03.2009 and OA No.2717/2008 titled as **Jaswant Giri & Ors. Vs. UOI** decided on 17.08.2008 and this Tribunal directed the respondents to consider similar grievances. It is also submitted that one Shri Ram Khilari, who was junior to them was also regularised prior to date of regularisation of the applicants. However, the learned counsel for the respondents submits that the cases cited by the applicants are distinguishable and the facts in those cases are different from the present case. However, he has not denied the fact of filing of certain OAs by identically placed persons, and the compliance of the orders therein by them.

4. In the circumstances, the OA is disposed of, without going into the merits of the case, by permitting the applicants to make an appropriate representation furnishing the individual details of the applicants and specifically indicating the identical cases by enclosing the copies thereto and by specifically mentioning the names of their juniors and their particulars to the respondents within four weeks from the date of receipt of a copy of this order and on receipt of such a representation from the applicants, the respondents shall consider the same and pass appropriate reasoned and speaking order within a period of 90 days there from, in accordance with law. No costs.

(P.K.Basu)
Member (A)

(V. AJAY KUMAR)
Member (J)

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