

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

O.A. No. 1980/2016

M.A. No. 1931/2016

New Delhi, this the 2nd day of June, 2016.

HON'BLE MR. P.K. BASU, MEMBER (A)
HON'BLE MR. RAJ VIR SHARMA, MEMBER (J)

1. Balendra Pal Singh S/o Sh. Mahendra Singh
R/o Village Jiwana, PO Kishanpur
Baral P S Ramala, Distt. Baghpat (UP)
(Aged about 42 years)
2. Shri Om S/o Sh. Parhlad Singh
R/o H.No.225, Sector 9
Bahadurgarh, Haryana 124507
(Aged about 54 years)
3. Narender S/o Sh. Ajit Singh
R/o VPO Silana, Tehsil Kharkhoda
PS Kharkhoda, Distt. Sonapat (Haryana)
(Aged about 52 years)
4. Pardeep Kumar S/o Sh. Dalip Singh
R/o H.No.422, Ishwar Colony
Bawana, Delhi-39
(Aged about 49 years)
5. Suresh Kumar S/o Sh. Bhim Singh
R/o H.No.436, Village Sultan Dabas
PO Pooth Khurd, Bawana, Delhi
(Aged about 57 years)
6. Virender Singh S/o Sh. Gajraj Singh
R/o H.No.20/195, Trilok Puri
Delhi-110091
(Aged about 44 years)
7. Chandan Singh S/o Sh. Narain Singh
R/o Qr. No.12/9 Railway Colony
Sarojini Nagar, New Delhi-23
(Aged about 46 years)

8. Ummed Singh Meena
S/o Late Shri Ram Ratan Meena
R/o Q.No.83/ 1, Railway Colony
Subzi Mandi, Delhi-110007
(Aged about 44 years)
9. Surender Pal Singh
S/o Sh. Amar Pal Singh
R/o D3/2 Police Station Defence Colony
New Delhi-49
(Aged about 42 years)
10. Rakesh Kumar S/o Sh. Raja Ram Verma
R/o 84-G Block R, Dilshad Garden
Delhi-95
(Aged about 51 years)

(all ASI/RT in Technical Cadre, HC (Technical cadre)
as on 1.1.2006) – Delhi Police

..Applicants

(By Advocate : Shri Ajesh Luthra)

Versus

1. The Commissioner of Police
PHQ, MSO Building
I.P. Estate, New Delhi.
2. Union of India
Through its Secretary
Ministry of Home Affairs
North Block, New Delhi.
3. Union of India
Through the Secretary
Ministry of Finance
North Block, New Delhi.

.. Respondents

ORDER (Oral)

By Hon'ble Mr. P.K. Basu

Heard the learned counsel for the applicant.

2. MA 1931/2016 filed for joining together is allowed.

3. The issue in this matter is basically whether the applicants, who are senior to the direct recruits who have been appointed on or after 01.01.2006, should be protected by granting them the minimum pay that the direct recruits are drawing. This issue has already been decided by this Tribunal in several cases, viz. O.A. 4060/2011 dated 27.11.2015 etc. In the impugned order dated 26.04.2016, the respondents have denied the benefit to the applicants on the ground that they were not party before the CAT.

4. The O.A. is, therefore, disposed of at the admission stage, without going into the merits of the case, with a direction to the respondents that the issue decided by the Tribunal in O.A. No.4060/2011 has to be followed in all similar cases and the applicant cannot be denied the benefit because they were not party to this in view of the Hon'ble Supreme Court judgment in **State of Karnataka & Ors. Vs. C. Lalitha**, (2006) 2 SCC 747. The impugned order dated 26.04.2016 is quashed and set aside. No order as to costs.

(Raj Vir Sharma)
Member (J)

(P.K. Basu)
Member (A)

/Jyoti/