

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

O.A. No. 2021/2016

New Delhi, this the 3rd day of June, 2016.

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

Bishan Lal,
S/o Shri Chander Bhan,
R/o H.No.G23/24, Nand Ram Park,
Uttam Nagar, New Delhi-110059.
(Aged about 61 years)

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

..Applicant

(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. The issue in this matter is basically whether the applicant, who is senior to the direct recruits who have been appointed on or

after 01.01.2006, should be protected by granting him 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 applicant on the ground that he was not party before the CAT.

3. 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 he was 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/