

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 4515/2015

New Delhi, This the 11th day of December, 2015

**HON'BLE MR. SHEKHAR AGGARWAL, MEMBER (A)
HON'BLE DR. BRAHM AVTAR AGRAWAL, MEMBER (J)**

1. Srikanta Behera, Aged- 36 Years,
S/o Sh. G.N. Behera,
Working as Dresser,
R/o Qtr No.25, Type-1, Bhagwan Mahavir Hospital,
Pitam Pura, Delhi-110034
2. Mukesh Hooda, Aged- 40 Years,
S/o Sh. Umed Singh,
Working as Dresser,
R/o B-3, 247-248, 3rd Floor, Sector-6,
Rohini, Delhi-110085
3. Mukesh Thakur, Aged- 32 Years,
S/o Sh. Pawan Kumar Thakur,
Working as Dresser,
R/o H.No.C-599, Indra Enclave, Phase-1,
Kirari Suleman Nagar, Delhi-110086
4. Deoashish Kumar Ravi, Aged- 32 Years,

S/o Sh. Kuleshwar Ram,
Working as Dresser,
R/o Qtr No.28, First Floor, Type-1,
Bhagwan Mahavir Hospital, Pitam Pura,
Delhi-110034

5. Vijay Kumar Yadav, Aged- 37 Years,
S/o Sh. Niwas Yadav,
Working as Dresser,
R/o BK-1/102 B, Shalimar Bagh,
Delhi-110088

6. Dinesh Yadav, Aged- 36 Years,
S/o Late Sh. Dhan Raj Singh,
Working as Dresser,
R/o H.No.153, Haider Pur Village,
Delhi-110088

7. Pradeep Kumar, Aged- 32 Years,
S/o Sh. Lal Chand Saini,
Working as Dresser,
R/o H.No.B-1014, Avantika, Rohini,
Sector-1, Delhi-110085

8. Sunil Kumar, Aged- 41 Years,
S/o Sh. Ram Fal,

Working as SCC,
R/o H.No.1010, Block-I, Mangolpuri,
Delhi-110083

9. Satbir, Aged- 38 Years,
S/o Sh. Gursharan,
Working as SCC,
R/o Flat No.334, FF, Type-I, Gulabi Bagh,
Delhi-110007
10. Raj Kumar, Aged- 41 Years,
S/o Sh. Tara Chand,
Working as SCC,
R/o H.No.E-444, Camp No.2,
Nagloi, Delhi-110041
11. Dharmender Kumar, Aged- 38 Years,
S/o Sh. Dharambir,
Working as SCC,
R/o H.No. K-446-47, Jahangir Puri,
Delhi-110033
12. Rakesh Kumar, Aged- 44 Years,
S/o Sh. Kartar Singh,
Working as Dresser,
R/o H.No.C-2/431, Sultan Puri,

Delhi-110086

13. Ved Prakash, Aged- 41 Years,
S/o Sh. Bishamber Dayal,
Working as SCC,
R/o Village Zerpur, P.O. Mandola,
District Mahendergarh, Haryana

14. Rakesh Kumar, Aged- 44 Years,
S/o Sh. Pyare Lal,
Working as SCC,
R/o H.No.A-5/5, Type A-5, Block 2nd Floor,
BJRM Hospital, Jahangir Puri,
Delhi-110033

15. Ganpat Ram, Aged- 38 Years,
S/o Sh. Ram Chander,
Working as Dresser,
R/o H.No.B-3714, Gali No.110,
Sant Nagar Burari, Delhi-110084

16. Rajinder Kumar, Aged- 40 Years,
S/o Sh. Pyare Lal,
Working as SCC,
R/o H.No.314, Type I, Gulabi Bagh,
Delhi-110007

17. Poonam, Aged- 34 Years,
D/o / W/o, Sh. Ramesh Kumar,
Working as Dresser,
R/o H.No.1/35, Budh Vihar, Phase-I,
Delhi-110086
18. Ripu Daman Verma, Aged- 44 Years,
S/o Sh. N.S. Verma,
Working as Dresser,
R/o H.No. BK-2/97, Shalimar Bagh,
Delhi-110033
19. Roshan Lal, Aged- 42 Years,
S/o Sh. Babu Lal,
Working as SCC,
R/o H.No.729, Type-I, DDA Flats,
Gulabi Bagh, Delhi-110007
20. Rajender, Aged- 40 Years,
S/o Sh. Munshi Lal,
Working as SCC,
R/o H.No.B-199, Jahangir Puri,
Delhi-110033
21. Vijay Kumar, Aged- 36 Years,

S/o Sh. Phool Singh,
Working as N.O.
R/o H.No.375, Kumhar Wali Gali,
Rampura, Delhi-110035

22. Manoj Kumar, Aged- 38 Years,
S/o Sh. Jai Kishan,
Working as Dresser,
R/o H.No.R-872, Gali No.21/A,
Swatantra Nagar, Narela,
Delhi-110040

23. Sandeep, Aged- 34 Years,
S/o Sh. Dharam Pal,
Working as Dresser,
R/o H.No.1508, Mamurpur,
Narela, Delhi-110040

24. Umesh Kumar, Aged- 35 Years,
S/o Sh. Prem Kumar,
Working as N.O.
R/o H.No.399, Gali Braliman Bawana,
Delhi-110039

25. Parveen Kumar, Aged- 33 Years,
S/o Sh. Suresh Kumar,

Working as SCC,
R/o H.No.750, Gali No.3,
Village Bakner, Delhi-110040

26. Pankaj Singh, Aged- 33 Years,
S/o Sh. Risal Singh,
Working as N.O.
R/o H.No.117, Village & Post Rithala,
Delhi-110085
27. Tej Pal, Aged- 43 Years,
S/o Sh. Suraj Mal,
Working as Dresser,
R/o H.No.E-7/186, East Gokul Pur,
Amar Colony, Delhi-110094
28. Brij Mohan, Aged- 40 Years,
S/o Sh. Jagannath,
Working as Dresser,
R/o H.No.70-71, Village New Chauhan Pur,
Karawal Nagar, Delhi-110094
29. Girdhari Lal, Aged- 41 Years,
S/o Sh. Ganeshi Lal,
Working as Dresser,
R/o H.No.2/23, Gali No.2, Jagjivan,

Marg Loni Road, Shadara, Delhi-94

30. Subhash Chand, Aged- 39 Years,
S/o Sh. Hari Kishan,
Working as Dresser,
R/o H.No.3/21, Gali No.3, Jagjivan Nagar,
Shahadra, Delhi-110094
31. Gopal, Aged- 37 Years,
S/o Sh. Randhir Singh,
Working as N.O.
R/o H.No.B-120, Vijay Nagar,
Behind Soap Factory, Narela Road,
Bawana, Delhi-110039
32. Sandeep Khatri, Aged- 35 Years,
S/o Sh. Dayanand Khatri,
Working as N.O.
R/o H.No.629, VPO Bakner,
Narela, Delhi-110040
33. Sanjay Kumar, Aged- 40 Years,
S/o Sh. Om Parkash,
Working as N.O.
R/o H.No.A-37, Mandir Mohalla,
Samay Pur, Delhi-110042

34. Anil Kumar, Aged- 38 Years,
S/o Sh. Balbir Singh,
Working as N.O.
R/o H.No.552, Main Road, Bakhtawar Pur,
Delhi-110036

35. Arun Kumar, Aged- 38 years,
S/o Sh. Tej Ram,
Working as Dresser,
R/o H.No.B-51, Mata Wali Gali,
Johripur, Delhi-110094

36. Meena Devi, Aged- 41 Years,
S/o Sh. Rajender Singh,
Working as N.O.
R/o H.No.A5A-147, Janak Puri,

New
.....Applicants

Delhi-110058

O R D E R (O R A L)

Shekhar Agarwal, Member(A)

This O.A has been filed seeking the following reliefs :-

- (i) That the Hon'ble Tribunal may graciously be pleased to pass an order of declaring to the effect that the whole action of the respondents not considering the request of the applicants for granting notional appointment from the date of appointment of similarly situated persons in Dec.2013 for the purpose of granting the old pension scheme at par with the similarly situated persons appointed in the same selection and from the same advertisement, is illegal, arbitrary, against the principle of natural of justice and violates Art. 14 and constitution of India and consequently pass an order directing the respondents to grant the notional appointment to the applicants w.e.f. 01.12.2013 i.e., from the date of appointment of similarly situated persons of same selection and to extend the benefits of old pension scheme to the applicants, which was application prior to 01.01.2014 with all consequential benefits.
- (ii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants with the costs of litigation."

2. Learned counsel for the applicants has submitted that the applicants made a representation to the respondents on 28.08.2015, but the same has not yet been decided by them. Verbally the applicants have been informed that the respondents are granting relief to those who approached the

Tribunal. Learned counsel also submitted that he would be satisfied if directions are given to the respondents to decide their representations within a given time frame made by the applicants.

3. We dispose of this O.A at the admission stage itself without going into merits of the case and without issuing notice to the respondents with a direction to them to consider and dispose of the representations dated 28.08.2015 of the applicants within a period of 60 days by means of reasoned and speaking order.

4. The applicants shall have the liberty to challenge the decision of the respondents, if they are still aggrieved.

5. No costs.

(Dr. B. A. Agrawal)
Member (J)

(Shekhar Agrawal)
Member (A)

/Mbt/