

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

**O.A No. 3624/2013
With M.A No. 2741/2013**

This the 1st day of November, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Vijender Kumar
S/o. Shri K. R. Sharma,
R/o. VARUNI, A-451, Sector-46,
NOIDA, Gautambudh Nagar (U.P.) (201 308)
2. Indu Maheshwari
W/o. Sh. Mukul Maheshawari
R/o. 115/Sector-8, Faridabad.
3. Sunil Kumar Srivastava,
S/o. Late Shri Vikramidtya Srivastva,
R/o. Qtr No. IV/12, NPTI Colony, City Centre, Durgapur.
4. Durga Shankar Sahu,
S/o. Ramakanta Sahu
R/o. Qtr No. 406, NPTI Complex, Sec-33, Faridabad.
5. Surender Kumar
S/o. Shri Balwant Rai
R/o. 1363A, Sector 29, Faridabad.
6. Madhu Bala Kumar
W/o. Pradeep Kumar
R/o. A-70, First Floor, Front Side,
Ashoka Enclave Part-II, Faridabad.
7. N. R. Haider
S/o. Late B. B. Halder,
R/o. Qtr No. 408, NPTI Complex, Sec-33, Faridabad.
8. Deepak Pandit
S/o. Shri Tinkari Pandit,
R/o. Qtr No. IV/9, NPTI Colony,
City Centre, Durgapur.

9. Vatsala Sharma,
W/o. Shri G. K. Gaur,
R/o. D-6, M.S. Apartments,
Pandara Park, New Delhi – 110 003.
10. Sachchidanand Pandey
S/o. Shri P. N. Pandey,
R/o. Qtr No. 404, NPTI Complex, Sec-33, Faridabad.
11. L. C. Chauhan
S/o. Shri Rishal Singh
J-3060, Sainik Colony-II,
Sec-49, Faridabad.Applicants

(By Advocate : Mr. M. K. Bhardwaj with Mr. M. D. Jangra)

Versus

1. Union of India,
Through the Secretary,
Ministry of Power, Govt. of India, New Delhi.
2. Director General,
National Power Training Institute,
(Ministry of Power, Govt. of India)
NPTI Complex, Sector-33, Faridabad.
3. All India Council for Technical Education
Through its Member Secretary,
7th Floor, Chandralok Building Janpath,
New Delhi – 110 001. ...Respondents

(By Advocate : Mr. Gyanendra Singh and Mr. Sunil Bansal
for Mr. Amit Anand)

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman :

The applicants are working in various capacities in the National Power Training Institute. The AICTE recommended extension of some benefits such as designation of posts, pay scales and enhanced age of

retirement, subject to certain conditions. Such benefits have been extended to some of the employees in the said Institute. The grievance of the applicants is that, though, they are otherwise eligible to be extended the said benefits, they are meted out with some discriminatory treatment. They challenged the communication dated 29.08.2013 issued in this behalf and the notification issued by the AICTE on 05.03.2010.

2. The respondents filed counter affidavit opposing the O.A. According to them, applicants were not eligible to the benefits and accordingly, denied the same.

3. We heard Mr. M. K. Bhardwaj with Mr. M. D. Jangra, learned counsel for applicant, Mr. Gyanendra Singh and Mr. Sunil Bansal for Mr. Amit Anand, learned counsel for respondents.

4. The necessity for us to deal with the matter in detail is obviated on account of the substantial development, that has taken place during the pendency of the O.A.

5. Government of India, Ministry of Power, passed an order dated 14.11.2017, withdrawing the benefits recommended by the AICTE. Even the employees who are continuing beyond the age of 60 years on the basis of the

AICTE recommendations were required to be retired as per the ordinary age of superannuation.

6. Now that the benefits recommended by the AICTE have been withdrawn in the organisation, the question of the applicants being extended the same does not arise.

7. We, therefore, dismiss the O.A as infructuous. It is needless to mention that the withdrawal of the benefits in pursuance of the order dated 14.11.2017, issued by the Government, shall be full in all respects, lest the continuation of the same de hors the order of the government results in discrimination.

8. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/Mbt/