

**Central Administrative Tribunal  
Principal Bench  
New Delhi**

OA No.2474/2018

MA No.2756/2018

New Delhi, this the 5<sup>th</sup> day of July, 2018

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

**Hon'ble Ms. Praveen Mahajan, Member (A)**

1. Sunit Kumar, E.O/A.O, Group 'B',  
Aged about 42 years,  
S/o Sh. Indradeo Singh,  
R/o H.No.486, Sector-30,  
Faridabad-121003.
2. Vipin Kumar Gupta, E.O/A.O, Group 'B',  
Aged about 42 years,  
S/o Late Sh. R.S. Gupta,  
R/o Q. No.86, Bhavishya Nidhi Enclave,  
Faridabad-121008.
3. Santosh Kumar, E.O/A.O, Group 'B',  
Aged About 43 years,  
S/o Late Sh. Bharat Prasad  
R/o Q. No.79, Bhavishya Nidhi Enclave,  
Malviya Nagar, New Delhi-110017.
4. Mohd. S.Ansari, E.O/A.O. Group 'B',  
Aged about 45 years,  
S/o Mohd. Abdul Ansari  
R/o D-86, Flat No.301, 3<sup>rd</sup> Floor, Street No.5,  
Laxmi Nagar, New Delhi-110092.
5. Purshottam, E.O/A.O. Group 'B',  
Aged about 41 years,  
S/o Sh. Meer Singh  
R/o H.No.314, Munirka Village,  
New Delhi-110067.

6. Mahesh Kumar, E.O/A.O. Group 'B',  
Aged about 43 years,  
S/o Late Sh. Sukha Ram  
R/o Vill.-Alapur, Tehsil &  
Distt.-Palwal, Haryana.
7. Sunita Madhusudan, E.O/A.O. Group 'B',  
Aged about 42 years,  
W/o Sh. K.Madhusudanan  
R/o 267-C, Pocket-2, Mayur Vihar-I,  
New Delhi-110091.
8. Surbhi Jain, E.O/A.O. Group 'B',  
Aged about 43 years,  
S/o Late Yogendra Kumar Jain  
R/o C 10/P-7, Mitra Enclave,  
Opp. Greater Valley School,  
Greater Noida, UP.
9. Shashi Kant, E.O/A.O. Group 'B',  
Aged about 43 years,  
S/o Sh. Komal Parshad  
R/o B-5/46-47, 1<sup>st</sup> Floor, Sector 03, Rohini,  
New Delhi-110085.
10. Pratibha Thukral, E.O/A.O. Group 'B',  
Aged about 42 years,  
D/o Sh. Shambhu Lal  
R/o Flat No.302, Block-E, Astha Kunj  
Apartment, Sector-18, Rohini,  
New Delhi-110085.
11. Sameer Saurabh, E.O/A.O. Group 'B',  
Aged about 40 years,  
S/o Late Sh. Awadhesh Kumar  
R/o A-142, 1<sup>st</sup> Floor, SLF Ved Vihar,  
Loni, Ghaziabad, UP.
12. Nikhil Jain, E.O/A.O. Group 'B',  
Aged about 39 years,  
S/o Sh.Ashok Kumar Jain  
R/o 563, Gali No.37, Onkar Nagar, C Tri Nagar,  
New Delhi-110035.
13. Santosh Singh Rawat, E.O/A.O. Group 'B',  
Aged about 40 years,  
S/o Sh. Manwar Singh Rawat,

R/o GH-8/672, Paschim Vihar,  
Delhi-110087.

14. Mahesh Chand, E.O/A.O. Group 'B',  
Aged about 40 years,  
S/o Sh. Bhola Dutt  
R/o H.No. 1449, DDA Janta Flats, GTB Enclave,  
New Delhi-110093.
15. Kamlesh Kumar, E.O/A.O. Group 'B',  
Aged about 39 years,  
S/o Sh.Basudeo Giri  
R/o B-6/65, Sector-03, Rohini,  
New Delhi-110085.
16. Ritesh Kumar, E.O/A.O. Group 'B',  
Aged about 40 years,  
S/o Sh. Bhunesh Paswan  
R/o 245, Top Floor, Pocket-7, Sector-24,  
New Delhi-110085. .... Applicants

(By Advocate: Ms. Priyanka Bhardwaj for Shri M.K.Bhardwaj)

### **Versus**

1. Union of India,  
Through its Secretary,  
Ministry of Labour & Employment,  
Shram Shakti Bhawan,  
New Delhi.
2. Central Provident Fund Commissioner,  
Employees Provident Fund Organisation,  
Ministry of Labour & Employment,  
Govt. of India,  
Bhavishya Nidhi Bhawan,  
Bhikaji Cama Place, New Delhi. .... Respondents.

(By Advocate:Shri Satish Kumar)

### **ORDER (ORAL)**

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

Heard the learned counsel for the applicants and Shri Satish Kumar,  
learned counsel for respondents on receipt of advance notice.

**MA No.2756/2018**

2. MA No.2756/2018, filed for joining together, is allowed.

**OA No.2474/2018**

3. The applicants, who are working as Enforcement Officer/Accounts Officer, filed the present OA seeking the following:-

- “(a) to declare the action of respondents in not fixing the pay of applicants at Rs.17,140 in the pay scale of Rs.9300-34800 with grade pay of Rs.4600 on promotion as Enforcement Officer/Accounts Officer as illegal and arbitrary and issue appropriate directions to fix the pay of the applicants on promotion as Enforcement Officer/Accounts Officer at Rs.17,140 in the pay scale of Rs.9300-34800 with grade pay of Rs.4600 and grant all consequential benefits with arrears and interest.
- (b) to direct the respondent to remove pay anomaly by fixing the pay of applicants in the pay scale of Rs.9300-34800 with grade pay of Rs. 4600 from the date of promotion at appropriate stage and pay all consequential benefits including arrears of pay.
- (c) to direct the respondents to fix the pay of applicants as per the judgment of Hon’ble High Court dated 23.03.2017 in WP (C) No. 2634/2017 and give release all consequential benefits including arrears of pay.
- (d) to award exemplary costs in favour of the applicants.
- (e) to pass such other and further orders which their lordships of this Hon’ble Tribunal deem fit and proper in the existing facts and circumstances of the case.”

4. It is submitted that the applicants have made number of representations and also got issued a legal notice vide Annexure A-1 dated 17.04.2018 ventilating their grievances to the respondents, however, the respondents have not passed any order thereon till date.

5. In the circumstances, the OA is disposed of, at the admission stage, without going into the merits of the case, by directing the respondents to consider the legal notice (Annexure A-1 dated 17.04.2018) and pass appropriate reasoned and speaking order within 90 days from the date of receipt of a copy of this order, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

**(Praveen Mahajan)**  
**Member (A)**

**(V. Ajay Kumar)**  
**Member (J)**

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