

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...  
**ORIGINAL APPLICATION NO.060/01109/2017**  
**Chandigarh, this the 27<sup>th</sup> day of July, 2018**

...  
**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &  
HON'BLE MS. P. GOPINATH, MEMBER (A)**

...

1. Braham Din age 59 years S/o Late Sh. Ahuraha Din, working as Chowkidar in the office of Sub Divisional Engineer, MCPH. Sub Division No. 2, Sector 12, Chandigarh, r/o H. No. 3169, Mauli Jagran, UT Chandigarh "Group C"
2. Raj Kumar age 56 years S/o Late Sh. Puran Chand, working as Chowkidar in the office of Sub Divisional Engineer, MCPH, Sub Division No. 2, Sector 12, Chandigarh r/o H. No. 1, type XIII JE, Water Supply colony, Sector 26, Chandigarh. "Group C"
3. Mewa Singh age 50 years S/o Late Sh. Siri Ram, working as Beldar in the office of Sub Divisional Engineer, MCPH, Sub Division No. 2, Sector 12, Chandigarh r/o H. No. 14, type XIII JE, Water Supply Colony, Sector 26, Chandigarh "Group C"
4. Ram Naresh age 56 years S/o Late Sh. Rameshwar, working as Chowkidar in the office of Sub Divisional Engineer, MCPH, Water Supply, Sub Division No. 12, Sector 15, Chandigarh r/o H. No. 1449, Janta Colony, Nayagaon, Punjab. "Group C"
5. Rattan Ram age 56 years, S/o Late Sh. Harnam, working as Beldar (Metering) in the office of Sub Divisional Engineer, MCPH Sub Division No. 17, Chandigarh, r/o Chotti Badi Nagal, Parol, SAS Nagar Mohali (Punjab) "Group C"

**....Applicants**

**(Present: Mr. Barjesh Mittal, Advocate)**

**Versus**

1. Union Territory, Chandigarh Administration through its Secretary Department of Finance, UT Civil Secretariat, Sector 9, Chandigarh.
2. Chief Engineer, Union Territory, Chandigarh Administration, Engineering Department, U.T. Civil Secretariat, Sector 9, Chandigarh.
3. Municipal Corporation, Chandigarh through its Commissioner, Deluxe Building, Sector 17, Chandigarh.
4. Chief Engineer, Municipal Corporation, Deluxe Building, Sector 17, Chandigarh.
5. Superintending Engineer, Municipal Corporation, Public Health Circle, Deluxe Building, Sector 17, Chandigarh.

**..... Respondents**

**(Present: Mr. Gagandeep Singh Chhina, Advocate, for No. 1&2  
Mr. Arvind Moudgil, Advocate for Nos. 3 to 5)**

**ORDER (Oral)**  
**SANJEEV KAUSHIK, MEMBER (J)**

1. By way of the present O.A., the applicants have sought mainly the following relief:-

“The respondents be directed to grant the applicant, the admissible benefits of proficiency step up/financial upgradation under ACP/MACP Scheme, Leave Encashment, Fixed Medical Allowance, Local Travelling Allowance, LTC, one special increment etc. in terms of judgment Annexures A-1 to A-3 and also in view of Annexure A-11 to A-15 to which the applicants are entitled to on account of their deemed regularization in service w.e.f. 2011 & 2012 from the due dates and disburse the same to the applicants by re-fixation of their salary along with grant of consequential arrears thereof to them along with interest @ 18% in the interest of justice.”

2. Heard.

3. At the very outset, learned counsel for the applicants submitted that he will restrict his claim to grant of ACP/MACP and one special increment.

4. Learned counsel for the parties are at ad idem that a similar case titled Kewal Krishan & Others Vs. Union of India & Others (O.A. No. 060/00839/2017) has been decided on 03.07.2018, by this Court and this matter may, therefore, be disposed of in the same terms.

5. Accordingly, the present O.A. is disposed of in terms of order dated 03.07.2018 rendered in the case of Kewal Krishan (supra). MA No. 060/01400/2017 for condonation of delay also stands allowed. The operative part of the order dated 03.07.2018 in the case of Kewal Krishan (supra) is extracted hereunder:-

“11. Since no view has been taken by the respondents on claim of the applicants therefore, we deem it appropriate at this stage to direct the competent authority to consider the claim in the light of relied upon judgments and orders passed by the respondents themselves granting similar benefit to

identically placed persons. If applicants are held entitled to, then the same be released in their favour otherwise a reasoned and speaking order be passed, which be duly communicated to them. The above exercise be carried out within a period of three months from the date of receipt of a certified copy of this order

12. Disposal of the O.A. in the above terms shall not be construed as an expression of any opinion on the merits of the case.”

**(P. GOPINATH)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

**Dated: 27.07.2018**

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