

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O. A. No.60/1226/2017

Date of decision: 30.11.2017

...

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

...

1. Pratibha Thapa, aged 32 years D/o Sh. Deepak Chandel, working as Assistant Professor in Clothing and Textiles (Contract), Government Home Science College, Sector-10, Chandigarh.
2. Sakshi Sharma, aged 31 years, D/o Sh. Sadanand Sharma, working as Assistant Professor in Clothing and Textiles (Contract), Government Home Science College, Sector-10, Chandigarh.
3. Manpreet Kaur, aged 30 years, D/o S. Harmail Singh, working as Assistant Professor in Clothing and Textiles (Contract), Government Home Science College, Sector-10, Chandigarh.
4. Heena Narang, aged 31 years, D/o Sh. Munshi Ram Narang, working as Assistant Professor in Clothing and Textiles (Contract), Government Home Science College, Sector-10, Chandigarh.

**... APPLICANTS
VERSUS**

1. Union Territory, Chandigarh through its Administrator, U.T. Secretariat, Sector-9, Chandigarh.
2. Secretary, Education, Union Territory, Sector-9, Chandigarh.
3. Director Higher Education, U.T. Secretariat, Sector-9, Chandigarh.
4. Principal, Government Home Science College, Sector-10, Chandigarh.
5. Principal, Government College of Commerce and Business Administration, Sector-50, Chandigarh.

... RESPONDENTS

PRESENT: Sh. Sandeep Siwatch vice Sh. R.K. Sharma, counsel for the applicants.
Sh. Arvind Moudgil, counsel for the respondents.

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

1. The present O.A. has been filed seeking mainly the following relief (s):-

"8(i).Order No.DHE-UT-C1-12(3)2011 dated 05.06.2017 (Annexure A-1), passed by Respondent No.3, whereby respondents have refused to extend the benefit of judgment dated 31.03.2011 passed in bunch of cases including O.A. No.33/CH/2011 titled Vandana Jain & Ors, and the orders passed in its execution denying the arrears of D.A. to the applicants as revised from time to time only on the ground that contractual lecturers who are part of the O.A. for which this Tribunal has passed order dated 31.03.2011 and filed execution are entitled thereto, may be quashed.

(ii). Direction to the respondents to extend the benefit of judgment dated 31.03.2011 passed by the Tribunal in O.A. No.33/CH/2011 titled Vandana Jain & Ors, and the orders passed in its execution, including D.A. as revised from time to time, applicants being similarly situated may be issued."

2. Learned counsel appearing on behalf of the parties are in agreement that issue involved in the present O.A. has been considered and decided by this Court in O.A. No.60/1402/2017 **(Dr. Pallavi & Ors.)**

Vs. Education Department U.T. Chandigarh & Ors. vide order dated 27.11.2017. Therefore, they prayed that the present O.A. be disposed of in the same terms.

3. I have gone through the impugned order and order relied upon by learned counsel for the parties. The issue in the present case is similar to Dr. Pallavi case (supra). Relevant para of the order passed in the case of Dr. Pallavi reads as under:-

"5. Accordingly, the O.A. is allowed and the impugned order is hereby quashed and set aside. The matter is remitted back to the respondents to pass fresh order, in accordance with law

and also considering the ratio as laid down in the case of Vandana Jain (supra). Let the above exercise be carried out within a period of two months, as prayed for and if the applicants are held entitled for grant of admissible benefit the same be released to them within a period of one month thereafter, otherwise speaking order be passed and communicated to them.”

4. Accordingly, the impugned order dated 05.06.2017 (Annexure A-1) is hereby quashed and set aside. The O.A. is disposed of in the same terms as in the case of Dr. Pallavi (supra).

(P. GOPINATH)
MEMBER (A)

Date: 30.11.2017.
Place: Chandigarh.

‘KR’

(SANJEEV KAUSHIK)
MEMBER (J)

