

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

**ORIGINAL APPLICATION NO.60/1383/2018 &
MA No.60/1780/2018**

Chandigarh, this the 16th day of November, 2018

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CORAM: HON'BLE MRS. AJANTA DAYALAN, MEMBER (A)

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1. SD-400052, Bachi Singh s/o Sh. Gadas Singh, working as H/Msgr, r/o # 527, Sani Bhar, Ph-II, Baltana (PB.) 140603 (age 50 years).
2. SD-400054, Bishan Dass s/o Sh. Bakshi Ram, working as H/Msgr, r/o # 416/1, New MES Colony, Chandimandir Cantt. 134107 (age 50 years).
3. SD-400055, Amar Singh, working as H/Msgr, r/o #412/1, New MES Colony, Chandimandir Cantt.134107 (age 54 years)
4. SD-400057, Bodh Raj Sharma s/o Sh. Changu Ram, working as H/Msgr, r/o # 268/11, New MES Colony, Chandimandir Cantt. 134107 (age 53 years).
5. SD-400063, Ram Parkash s/o Late Sh. Sita Ram Rai, working as Msgr, r/o # 247/11, New MES Colony, Chandimandir Cantt. 134107 (age 49 years).
6. SD-400065, Bant Singh s/o Sh. Sada Ram, working as Msgr, r/o Village Fatehpur, P.O. Bhurewala, Teh. Naraingarh, Distt. Ambala 134203 (age 50 years).
7. SD-400066, Amar Singh s/o Sh. Bachna Ram, working as Msgr, r/o Village Dhamala, P.O. Pinjore 133301, Distt. Panchkula, HRY (age 50 years).
8. SD-400074, Karnail Singh s/o Sh. Balku Ram, working as Msgr, r/o # 39, Guru Nanak Colony, P.O. Mubarakpur Distt. SAS Nagar 140507 (age 50 years).

9. SD-400091, Ram Ajore s/o Sh. Baghu Ram, working as Gardner, r/o # 002, Block No.23-P, Sector E, Chandimandir Cantt. 134107 (age 56 years).
10. SD-400110, Pala Ram s/o Sh. Amar Singh, working as S/wala, r/o # 183, Village Bir Ghaggar, P.O. Chandimandir-134107, Panchkula (age 55 years).
11. SD-400114, Raghbir s/o Sh. Payana Lal, working as S/wala, r/o # 62, Village Bir Ghaggar, P.O. Chandimandir 134107, Panchkula (age 49 years).
12. SD-4000459, Shiv Kumar s/o Sh. Jaswant Singh, working as Msgr, r/o # 251/11, New MES Colony, Chandimandir Cantt 134107 (age 52 years).
13. SD-9998104, Jiwan Singh s/o Sh. Onkar Singh, working as Msgr, r/o # 05, Block 24 P, Sector E, Chandimandir-134107 (age 45 years).
14. SD-400108, Namesh Kumar s/o Sh. Bogha Ram, working as S/wala, r/o Village Bir Ghaggar, Gate No.2, P.O. Chandimandir, Panchkula 134107 (age 57 years).
15. SD-400048, Khem Singh s/o Sh. Chajju Ram, working as Msgr, r/o Shiv Colony, Dharampur, Gangh Gali, Pinjore-134102, HRY (age 50 years).
16. SD-400117, Raghbir Chand s/o Sh. Puran Chand, working as W/man, r/o # 13, Block No.24, Sector E, Chandimandir Cantt. 134107 (age 47 years).
17. SD-400086, Nanak Chand s/o Sh. Birj Mohan, working as Barber, r/o # 264/11, New MES Colony, Chandimandir Cantt.134107 (age 48 years).
18. SD-400087, Sandip Kumar s/o Sh. Sarya Ram, working as Barber, r/o # 420/1, New MES Colony, Chandimandir Cantt. 134107 (age 49 years).
19. SD-400098, Rajinder Singh s/o Sh. Rai Singh, working as Lab., r/o # 06, Block No.P/23, Sector E, Chandimandir Cantt. 134107 (age 49 years).

20. SD-400127, Harkesh s/o Sh. Naranjan Ram, working as Barber, r/o Peer Mochala, Shiv Colony, Zirakpur-140603, Mohali, PB. (age 49 years).
21. SD-400122, Pardeep Singh s/o Sh. Surjit Singh, working as Msgr, r/o # 254/11, New MES Colony, Chandimandir Cantt. 134107 (age 54 years).
22. SD-400099, Bansi Dhar s/o Sh. Jaidat, working as Lab. r/o # 361/1, New MES Colony, Chandimandir Cantt. 134107 (age 54 years) (All applicants Group-C).
(All applicants are working in the office of MGIC, Headquarters Western Command, (Adm Branch), C/o 56 APO).

... APPLICANTS

(Present: Mr. K.B. Sharma, Advocate proxy for Mr. P.M. Kansal, Advocate)

VERSUS

1. Union of India through the Secretary, Ministry of Defence, North Block, New Delhi-110011.
2. The Director General Personnel / CSCC Military Engineer Services, Engineer-in-Chief's Branch, Kashmiri House, New Delhi-110011.
3. The Chief Engineer, Western Command, Headquarters, Chandimandir-134107.
4. The Principal Controller of Defence Accounts (Western Command), Sector 9, Chandigarh-160009.
5. The MGIC, Headquarters Western Command, (Adm Branch), C/o 56 APO.

... RESPONDENTS

ORDER (Oral)

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AJANTA DAYALAN, MEMBER (A):-

MA No.60/1780/2018

1. Heard.
2. The present Miscellaneous Application has been filed under Rule 4 (5) (a) of the C.A.T. (Procedure) Rules, 1987, seeking permission to allow the applicants to file a joint petition. For the reasons stated therein, the same is allowed, permitting the applicants to file a joint OA.

OA No.60/1383/2018

1. Heard the learned counsel for the applicants who states that the applicants are working in different capacity in MES. The department vide letter dated 12.09.2014 (Annexure A-6) has already decided that in the old ACP Scheme, Tradesman Mates of MES who had completed 12 and 24 years of service upto 31 August 2008 will get the Grade Pay of Rs.1900/- and Rs.2400/- under 1st and 2nd ACP respectively, if they are eligible in all respects. Seven of the applicants at serial no.1, 2, 4, 10, 12, 14 and 22 made representation in December 2017 at Annexure A-1(A) (date is mentioned incorrectly in the representation). The same is, however, yet to be decided by the department. Accordingly, the counsel for the applicants states that the limited prayer is only for direction from the Tribunal to the respondents to decide the representation of those of the applicants who have made representation in December 2017 in a time bound manner. The counsel for the

applicants further states that as other applicants has not been made any representation to the department, he seeks permission to withdraw the petition quo other applicants, with liberty to agitate their matter in another OA, if considered necessary.

2. Issue notice to the respondents.
3. At this stage, Mr. Ram Lal Gupta, Advocate appears and accepts notice on behalf of the respondents, and does not object to the prayer of the applicants. Therefore, with the consent of both the counsels for the parties, OA is disposed of in limine with a direction to the respondents to take a view on the representation of the seven applicants who have made a representation dated 18.12.2017, within a period of two months, from the date of receipt of certified copy of this order. Needless to say, this order does not reflect in any manner on the merits of the case.

**(AJANTA DAYALAN)
MEMBER (A)**

Date: 16.11.2018.

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