

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

M. A. No.60/931/2017
O.A. No.60/699/2017
M.A. No.60/630/2017

...

Date of decision: 13.12.2017

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

...

1. Madan Singh, age 43 years, son of Late Sh. Chodya Singh working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.6, Sector-37, Chandigarh, resident of #2794, Dadu Majra Colony, Sector-38 West, Chandigarh. 'Group D'.
2. Gurdev Singh, age 57 years, son of Late Sh. Tarlok Singh, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.6, Sector-37, Chandigarh, resident of Village Kansal, Loharwali Gali, Near Atta Chakki, Tehsil Kharar, District Mohali. 'Group D'.
3. Baldev Singh, age 54 years, son of Late Sh. Gurdyal Singh, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.6, Sector-37, Chandigarh, resident of #2742, Sector-20/C, Chandigarh. 'Group D'.
4. Varinder Singh, age 55 years, son of Late Sh. Hira Singh, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.6, Sector-37, Chandigarh, resident of #4673/3, Sector-38 West, Chandigarh. 'Group D'.
5. Naib Singh, age 48 years, son of Late Sh. Pirthi Singh, working as Meter Reader, O/o Sub-Divisional Engineer, MCPH Sub-Division No.17, Sector-9, Chandigarh, resident of # Near SHiv Mandir, Village Jawaharpur, Tehsil Derabassi, District SAS Nagar, Mohali. 'Group D'.
6. Dalip Singh, age 57 years, son of Late Sh. Bhagwan Singh, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.6, Sector-37, Chandigarh, resident of #1660, Village Burail, U.T. Chandigarh. 'Group D'.
7. Dharampal, age 49 years, son of Late Sh. Balak Ram, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.6, Sector-37, Chandigarh, resident of # Village Nadda, Tehsil Kharar, District Mohali. 'Group D'.

8. Ramesh Kumar, age 46 years, of of Late Sh. Khushi Ram, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.17, Sector-9, Chandigarh, resident of Village Pallanpur, District SAS Nagar, Mohali. 'Group D'.
9. Bidhi Chand, age 47 years, son of Late Sh. Rama Ram, working as Meter Reader, O/o Sub-Divisional Engineer, MCPH Sub-Division No.6, Sector-37, Chandigarh, resident of #3931, Sector-25, Chandigarh. 'Group D'.
10. Kuldeep Singh, age 51 years, son of Late Gurcharan Singh, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.5, Sector-32, Chandigarh, resident of Village Shekhanmajra, Tehsil Kharar, District Mohali. 'Group D'.
11. Hari Singh, age 55 years, son of Late Sh. Faqir Singh, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.5, Sector-32, Chandigarh, resident of #173, Village Kurli, P.O. Jharmari, S.A.S. Nagar, Mohali. 'Group D'.
12. Rashpal Singh, age 55 years, son of Late Sh. Teja Singh, working as Beldar, O/o Sub-Divisional Engineer, MCPH Sub-Division No.5, Sector-32, Chandigarh, resident of #318, Ward No.9, Vill. Bhabat, NAC Zirakpur, District Mohali. 'Group D'.

... APPLICANTS

VERSUS

1. Union Territory, Chandigarh Administration, through its Secretary, Department of Finance, U.T. 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, New Deluxe Building, Sector-17, Chandigarh.
4. Chief Engineer, Municipal Corporation Chandigarh, New Deluxe Building, Sector-17, Chandigarh.
5. Executive Engineer, Municipal Corporation, Public Health Division No.2, Sector-11, Chandigarh.

... RESPONDENTS

PRESENT: Sh. Barjesh Mittal, counsel for the applicants.
 Sh. Rohit Sharma vice Sh. Gagandeep Singh Chhina,
 counsel for respondents No.1 and 2.
 Sh. Arvind Moudgil, counsel for respondents No.3 to 5.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. M.A. No.60/510/2017 has been filed under Rule 4(5)(a) of the C.A.T. (Procedure), Rules, 1987, seeking permission to allow the applicants to file joint petition. For the reasons stated therein, the same is allowed.
2. With the consent of parties, the matter is taken up for final hearing at this stage.
3. Learned counsel for the parties are in agreement that this O.A. can be disposed of in terms of decision dated 06.12.2017 in the case of **Ramesh Chander Singh Negi & Ors. vs. Engineering Department, U.T. Chandigarh & Ors.**, wherein an identical order was under challenge based upon the judicial pronouncement in the case of **Harbans Lal vs. State of Punjab** (2012(3) SCT 362), which was quashed and set aside by this Court. Therefore, they submitted that let impugned order herein may be quashed and matter may be remitted back to the respondents to decide the same in the light of ratio laid down by Lordships in the case of Harbans Lal (supra).
4. Ordered accordingly. Let the above exercise be carried out within a period of two months from the date of receipt of a certified copy of this order.
5. Accordingly, the O.A. is disposed of in limine. MAs also stand disposed of.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 13.12.2017.
Place: Chandigarh.

`KR'