

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

ORIGINAL APPLICATION NO. 060/00818/2017

Chandigarh, this the 4th day of July , 2018

...

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

...

Murad Singh aged 41yrs, son of Joginder Singh, resident of village and P.O Bandi Tehsil and District Bhatinda, now posted as Physical Education Teacher at Jawahar Navodaya Vidhyalya, Village Khara Kheri, District Fatehabad. Group-C.

....APPLICANT

(Argued by: Shri Paramjit Singh Jammu, Advocate)

VERSUS

1. Union of India, Ministry of Human Resource Development, Department of School Education and Literacy, Govt. of India, New Delhi through its Secretary.
2. The Commissioner, Navodaya Vidhalya Samiti (An autonomous organization under Ministry of Human Resources Development Deptt. Of School Education, Govt. of India, B-15 Institution 4-B, Nagar Sector 62 Noida (UP) 201 309.
3. The Deputy Commissioner, Navodya Vidhyalya Samiti, Regional Office 18, Sangram Colony, Manveer Marg, C-Scheme, Jaipur 302001, Rajasthan.
4. Jawahar Navodaya Vidyalya, Khara kheri, Distt. Fatehabad, Tehsil and Distt. Fatehabad through its Principal. Haryana.

....RESPONDENTS

(By Advocate: Shri D.R. Sharma)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

The present Original Application (O.A.) has been filed by the applicant assailing order dated 11.4.2017 (Annexure A-3), whereby his claim for grant of entry pay scale of Rs. 12510+4600=17110/- w.e.f. 1.1.2006 has been rejected.

2. After exchange of pleadings the matter came up for hearing today.

3. We have heard the learned counsel for the parties and gone through the pleadings available on record.

4. The learned counsel for applicant vehemently argued that the controversy involved in the instant O.A. has already been settled by this Court in O.A. No. 1163/HR/2013- **Vijay Pal Vs. Union of India and Ors.** decided on 21.10.2014 where in the artificial discrimination amongst the persons, who were working prior to 1.1.2006 and after 1.1.2006 had been treated differently by the respondents, has not been approved by this Court.

5. The learned counsel for respondents very fairly submitted that the relied upon decision by the applicant has also been approved by the jurisdictional High Court by dismissing CWP at the hands of respondents wherein claim of similarly situated has already been allowed by the Court of law.

6. Considering the above noted facts, we are left with no option but to quash the impugned order and at the same time direct the respondents to consider the claim of applicant for grant of benefit in terms of the decision rendered in the case of Vijay Pal (supra), within a period of two months from the date of receipt of a certified copy of this order. The O.A. stands disposed of accordingly.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 04.07.2018

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