

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI.**

**O.A.No.210/00496/2017**

**Date of decision : August 18, 2017.**

**Coram: Hon'ble Shri Arvind J. Rohee, Member (J)  
Hon'ble Ms.B. Bhamathi, Member (A).**

1. Shri Vinayak M. Nakhvva,  
working as Driver 1,  
in the Office of the Headquarters,  
the Chief Engineer (Navy),  
Mumbai 24, Assay Building, Colaba,  
Mumbai - 400 005.  
Residing at: 15/16, Laxmi Niwas,  
D.K. Marg, Dockyard Road (E),  
Mazgaon, Mumbai - 400 010.
2. Shri B. Balaravi,  
working as Draftsman,  
in the Office of the Headquarters,  
the Chief Engineer (Navy),  
Mumbai 24, Assay Building, Colaba,  
Mumbai - 400 005.  
Residing at: P-4/2, MES Qtrs.  
NCH Colony, Kanjurmarg,  
Mumbai - 400 078.
3. Shri P.B. Kathar,  
working as Draftsman,  
in the Office of the Headquarters,  
the Chief Engineer (Navy),  
Mumbai 24, Assay Building, Colaba,  
Mumbai - 400 005.  
Residing at: 202, Sai Sapna CHS Ltd.,  
Cholegaon, Thakurwadi (E),  
Kalyan, Thane - 421 201.
4. Shri N.N. Bhoyar,  
working as Jr.Engineer (Civil),  
in the Office of the Headquarters,  
the Chief Engineer (Navy),  
Mumbai 24, Assay Building, Colaba,  
Mumbai - 400 005.  
Residing at: Plot-11,  
Mahakali Nagar 3,  
Manewadi, Nagpur-400034. .. Applicants.

**( By Advocate Shri K.K. Waghmare ).**

**Versus**

1. Union of India, through  
the Secretary,  
Ministry of Defence,  
Raksha Bhavan, South Block,  
New Delhi - 110001.
2. Engineer-in-Chief,  
Engineer-in-Chief's Branch,  
Army Headquarters,  
Kashmir House, DHQ PO,  
New Delhi - 110 011.
3. The Chief Engineer  
Headquarters,  
Southern Command,  
Dakshi Kamn Marg,  
Pune - 411 001.
4. The Chief Engineer (Navy)  
Mumbai, Headquarters,  
24 Assay Building, Colaba,  
Mumbai - 400 005. .. Respondents.

**Order (Oral)**

**Per : Arvind J. Rohee, Member (J)**

Today when the matter is called out for admission, heard Shri K.K. Waghmare, learned Advocate for the applicants. We have carefully perused the case record.

2. The applicants by this joint petition approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, having grievance regarding impugned ordre dated 31.07.2017 (Annexure A-1) issued by respondent No.4 by which 6 days working week from Monday to Saturday with the office timings are fixed, replacing the previous practice of 5 days week. The following reliefs are, therefore, sought:-

"a) To allow this Original Application.

b) This Hon'ble Tribunal be pleased to quash and set aside the impugned order dated 31.07.2017 issued to the Applicants by the Resp.No.4.

c) To pass any other order in the interest of justice.

d) To award cost."

**3.** The applicants are working in different capacities with Respondent No.4. According to them the respondent No.4 took a decision, contrary to Department of Personnel & Training guidelines by making 6 days week instead of continuing the previous practice of 5 days week.

**4.** The record shows that the applicants No.1 to 4 have submitted separate representations dated 31.07.2017 (Annexure A-5 to A-8) to respondent No.3 for withdrawal of the impugned orders regarding change of 5 days week to 6 days week. However, so far no decision is taken by the respondent No.3 on it. In view of this, we are of the considered view that ends of justice will be better served if appropriate directions are issued to respondent No.3 in this behalf.

**5.** The respondent No.3 is, therefore, directed to consider and pass a reasoned and speaking order on the pending representations of applicants at Annexure

A-5 to A-8 in accordance with law, within a period of six weeks from the date of receipt of certified copy of this order and communicate the decision to the applicants at the earliest, who will be at liberty to approach the appropriate forum in case their grievance still persists.

**6.** The O.A. stands disposed off with the above directions at the admission stage, without issuing notice to the respondents and without making any comments on merits of the claim.

(Ms.B. Bhamathi)  
Member (A)

(Arvind J. Rohee)  
Member (J).

H.