

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

Date of decision: 18.02.2019

1. O.A. No.60/1129/2017
M.A. NO.60/59/2019
M.A. NO.60/1640/2018
M.A. NO.60/318/2019
M.A. NO.60/1482/2018
M.A. NO.60/1478/2018
M.A. NO.60/1186/2018
2. O.A. NO.60/28/2017
3. O.A. NO.60/1204/2017
M.A. NO.60/74/2019
M.A. NO.60/315/2019
4. O.A. NO.60/581/2017
5. O.A. NO.60/1205/2017
M.A. NO.60/1639/2018
M.A. NO.60/1185/2018
M.A. NO.60/69/2019
M.A. NO.60/314/2019
6. O.A. NO.60/1215/2017
M.A. NO.60/1215/2018
M.A. NO.60/1656/2018
M.A. NO.60/96/2019
M.A. NO.60/321/2019
7. O.A. NO.60/1219/2017
M.A. NO.60/1475/2018
M.A. NO.60/1479/2018
M.A. NO.60/1655/2018
M.A. NO.60/65/2019
8. O.A. NO.60/1222/2017
M.A. NO.60/1638/2018
M.A. NO.60/1476/2018
M.A. NO.60/1480/2018
M.A. NO.60/1184/2018
M.A. NO.60/64/2019
M.A. NO.60/317/2019
9. O.A. NO.60/1218/2017
M.A. NO.60/1483/2018
M.A. NO.60/1484/2018
M.A. NO.60/60/2019
10. O.A. NO.60/1264/2017
M.A. NO.60/1189/2018
M.A. NO.60/1648/2018
M.A. NO.60/75/2019
M.A. NO.60/309/2019
11. O.A. NO.60/1335/2017
M.A. NO.60/1635/2018
M.A. NO.60/1470/2018
M.A. NO.60/1188/2018
M.A. NO.60/67/2019
M.A. NO.60/311/2019
12. O.A. NO.60/1524/2017
M.A. NO.60/1637/2018
M.A. NO.60/1194/2018
M.A. NO.60/1481/2018



M.A. NO.60/66/2019
M.A. NO.60/316/2019
13. **O.A. NO.60/127/2018**
M.A. NO.60/1636/2018
M.A. NO.60/72/2019
M.A. NO.60/310/2019
14. **O.A. NO.60/760/2018**
M.A. NO.60/1647/2018
M.A. NO.60/73/2019
M.A. NO.60/312/2019
15. **O.A. NO.60/821/2018**
M.A. NO.60/1474/2018
M.A. NO.60/1187/2018
M.A. NO.60/1645/2018
M.A. NO.60/68/2019
M.A. NO.60/313/2019
16. **O.A. NO.60/1057/2018**
M.A. NO.60/158/2019
17. **O.A. NO.60/1115/2018**
M.A. NO.60/159/2019
18. **O.A. NO.60/1472/2018**

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

1. O.A. No.60/1129/2017

1. Munni Lal S/O Sh. Dev Raj, Casual Labourer, Aged 45 years, Group D, Military Farm Ambala Cantt.
2. Ravinder S/O Sh. Sukh Ram, Casual Labourers aged about 46 years, Group D, Military Farm Ambala Cantt.
3. Ravinder S/O Sh. Shiv Karan, Casual Labourers aged about 45 years, Group D, Military Farm Ambala Cantt
4. Brijbir S/o Sh. Sukhbir Singh, Casual Labourers aged about 44 years, Group D, Military Farm Ambala Cantt.
5. Ram Milan Yadav S/o Sh. Karpat Yadav, Casual Labourers aged about 47 years, Group D, Military Farm Ambala Cantt.
6. Dinesh S/o Pitamber, Casual Labourers, Group D, Military Farm Ambala Cantt.
7. Ashok Kumar S/o Sh. Doath Nath, Casual Labourers aged about 45 years, Group D, Military Farm Ambala Cantt.
8. Om Parkash S/o Sh. Lotan, Casual Labourers, Military Farm Ambala Cantt.
9. Radhay Shyam S/o Sh. Kunju, Casual Labourers, Military Farm Ambala Cantt.
10. Nand Lal S/o Sh. Shoby Nath, Casual Labourers, Military Farm, Ambala Cantt.
11. Anil S/o Sh. Kamal Chand, Casual Labourers, Military Farm, Ambala Cantt.

12. Hari Chand S/o Sh. Abhiraj, Casual Labourers aged about 47 years, Group D, Military Farm Ambala Cantt.
13. Ajay Kumar S/o Sh. Mohan Lal, Casual Labourers aged about 45 years, Group D, Military Farm Ambala Cantt.
14. Hari Prasad S/o Sh. Jhanki Ram, Casual Labourers aged about 44 years, Group D, Military Farm Ambala Cantt.
15. Anil S/o Gurdeep, Casual Labourers aged about 46 years, Group D, Military Farm Ambala Cantt.
16. Raju S/o Ram Chander Sodhi, Casual Labourers aged about 44 years, Group D, Military Farm Ambala Cantt.
17. Suraj Prakash S/o Ram Chander, Casual Labourers aged about 46 years, Group D, Military Farm Ambala Cantt.

... APPLICANTS

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Quarter Master General (QGM), Sena Bhawan, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066
3. Deputy Directorate General of Military Farms, QMG's Branch, Army Head Quarters, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066.
4. The Director, Military Farms, HQ Western Command, Chandimandir 134107.
5. The Officer Incharge, Military Farms, Ambala Cantt.

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.
 Sh. Ram Lal Gupta, counsel for the respondents.

2. O.A. NO.60/28/2017

1. Ram Bilas S/o Sh. Sant Ram, aged 45 years, R/o Sena Nagar, Dhulkot, Markanda Complex, Ambala City.
2. Rajinder Kumar S/o Sh. Ram Bahadur, aged 43 years, C/o Dal Chand, R/o H. No.33, Gwal Mandi, Rambagh Road, Ambala Cantt. both working as Daily Wage Worker at Military Farm, Ambala Cantt.
 (Gwala Group D.)

... APPLICANTS

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi-110001.
2. Deputy Directorate General of Military Farms, Army Head Quarters, Quarter Master Generals Branch, West Block-III, R.K Puram, New Delhi.
3. The Director, Military Farms, HQ Western Command, Chandimandir (PKLA)-134107.
4. The Officer Incharge, Military Farms, Ambala Cantt.

... RESPONDENTS

PRESENT: Sh. Anmol Verma, counsel for the applicants.
Sh. K. K. Thakur, counsel for the respondents.

3. O.A. NO.60/1204/2017

1. Jagdev s/o Sh. Badri Prashad, Casual Labourer, Aged 48 years, Group D, Military Farms Ambala Cantt.
2. Sahadur S/o Sh. Dilraj Yadav, Casual Labourers aged about 43 years, Group D, Military Farms Ambala Cantt.
3. Subedar s/o Sh. Inderjeet, Casual Labourers aged about 51 years, Group D, Military Farms Arnbala Cantt.
4. Ram Bhawan S/o Sh. Mangloo, Casual Labourers aged about 43 years, Group D, Military Farms Ambala Cantt.
5. Jiya Lal S/o Sh. Nirmal Yadav, Casual Labourers aged about 43 years, Group D, Military Farms Ambala Cantt.
6. Ram Ashish s/o Sh. Dasrath, Casual Labourers aged about 47 years, Group D, Military Farms Ambala Cantt.

... APPLICANTS

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Quarter Master General (QGM), Sena bhawan, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066
3. The Deputy Directorate General of Military Farms, QMG's Branch, Army Head Quarters, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066.
4. The Director, Military Farms, HQ Western Command, Chandimandir 134107.
5. The Officer Incharge, Military Farms, Ambala Cantt.

... RESPONDENTS

PRESENT: Sh. R.K. Sharma, counsel for the applicants.
Sh. K. K. Thakur, counsel for the respondents.

4. O.A. NO.60/581/2017

1. Shankar S/o Shri Chander Bali, aged 41 years, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
2. Mahesh Kumar S/o Shri Ram Dass Mahto, aged 42 years, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
3. Ram Bharat S/o Shri Ram Niwas, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
4. Narender S/o Shri Soma, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
5. Gopal Thakur S/o Shri Jhodey Thakur, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
6. Yogesh Maheto S/o Shri Meghnath, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
7. Nanhe S/o Shri Munishwar, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
8. Hirdey Ram S/o Shri Ram Naresh, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
9. Pardesi Mahto S/o Shri Guna Mahto, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
10. Tulsi S/o Shri Mohan, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
11. Guddu S/o Shri Ramhit, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
12. Ram Kewal S/o Shri Sham Lal, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
13. Sita Ram S/o Jagdish, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
14. Hari Ram S/o Shri Raman Shah, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
15. Sita Ram S/o Ram Budh, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
16. Vijay S/o Shri Parkash, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.
17. Ravi Kumar S/o Hari Ram, working as Daily wage worker (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D.

**... APPLICANTS
VERSUS**

1. Union of India through Secretary to Government of India, Ministry of Defence, New Delhi.
2. Deputy Director General, Military Farms, Army Head Quarter, R.K.Puram, New Delhi.

3. Director, Military Farms, HQ, Western Command, Chandi- Mandir.
4. Officer Incharge, Military Farm, Jalandhar Cantt.

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.
 Sh. K. K. Thakur, counsel for the respondents.

5. O.A. NO.60/1205/2017

1. Ashok Yadav S/o Sh. Munai, Casual Labourers, Military Farms, Ambala Cantt.
2. Om Parkash S/o Sh. Budhi Ram, Casual Labourers, Military Farms, Ambala Cantt.
3. Laxman S/o Sh. Mangloo, Casual Labourers, Military Farms, Ambala Cantt.
4. Nand Lal S/o Sh. Ram Lakhan, Casual Labourers, Military Farms, Ambala Cantt.
5. Suresh Chand S/o Sh. Mata Parshad, Casual Labourers, Military Farms, Ambala Cantt.
6. Raj Kumar S/o Sh. Ram Singh, Casual Labourers, Military Farms, Ambala Cantt.
7. Puran S/o Sh. Mohinder, Casual Labourers, Military Farms, Ambala Cantt.
8. Jaibir Singh S/o Sh. Bhanwar Singh, Casual Labourers, Military Farms, Ambala Cantt.
9. Vishnu S/o Sh. Surjeet Singh, Casual Labourers, Military Farms, Ambala Cantt.
10. Mangroo S/o Sh. Hiravan, Casual Labourers, Military Farms, Ambala Cantt.
11. Nagender S/o Sh. Ram Chander, Casual Labourers, Military Farms, Ambala Cantt.
12. Ashok Kumar S/o Sh. Sukhai Ram, Casual Labourers, Military Farms, Ambala Cantt.
13. Laxman Kumar S/o Sh. Ram Pal, Casual Labourers, Military Farms, Ambala Cantt.
14. Rajinder S/o Sh. Kewal, Casual Labourers, Military Farms, Ambala Cantt.
15. Poonam W/o Sh. Som Dutt, Casual Labourers, Military Farms, Ambala Cantt.
16. Bhagwan Dass S/o Sh. Kalu Ram, Casual Labourers, Military Farms, Ambala Cantt.
17. Kawal Dhari S/o Sh. Kumar Yadav, Casual Labourers, Military Farms, Ambala Cantt.
18. Sanjeev S/o Sh. Om Pal, Casual Labourers, Military Farms, Ambala Cantt.

19. Ram Parvesh S/o Sh. Ram Yadav, Casual Labourers, Military Farms, Ambala Cantt.
20. Anil Kumar S/o Sh. Parkash Chand, Casual Labourers, Military Farms, Ambala Cantt.
21. Shailender S/o Sh. Parkash Chand, Casual Labourers, Military Farms, Ambala Cantt.
22. Uma Pati S/o Sh. Vasudev, Casual Labourers, Military Farms, Ambala Cantt.
23. Lal Bihari S/o Sh. Jhinkoo Yadav, Casual Labourers, Military Farms, Ambala Cantt.
24. Yash Pal S/o Sh. Sigh Ram, Casual Labourers, Military Farms, Ambala Cantt.
25. Baij Nath S/o Sh. Roop Chand, Casual Labourers, Military Farms, Ambala Cantt.

**... APPLICANTS
VERSUS**

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Quarter Master General (QGM), Sena Bhawan, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066
3. The Deputy Directorate General of Military Farms, QMG's Branch, Army Head Quarters, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066.
4. The Director, Military Farms, HQ Western Command, Chandimandir 134107.
5. The Officer Incharge, Military Farms, Ambala Cantt.

... RESPONDENTS

PRESENT: Sh. R. K. Sharma, counsel for the applicants.
Sh. Ram Lal Gupta, counsel for the respondents.

6. O.A. NO.60/1215/2017

1. Rajinder Kumar son of Sh. Bhudhai, aged 47 years.
2. Rajkumar son of Sh. Bhudhai, aged 49 years.
3. Bhagwan Singh son of Sh. Bhagat Singh, aged 52 years.
4. Rajinder Kumar son of Sh. Budh Ram aged 45 years.

All Residents of Military Dairy Farm, Ambala Cantt. District Ambala.
Group D.

... APPLICANTS

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Deputy Directorate General of Military Farms, Army Head Quarters, New Delhi.
3. Director, Military Farm, Head Quarter, Western Commands, Chandi Mandir.

... RESPONDENTS

PRESENT: None for the applicants.

Sh. Ram Lal Gupta, counsel for the respondents.

7. O.A. NO.60/1219/2017

1. Raj Kumar Son of Gorkha, aged 41 years, Daily wage workers (Casual Workmen) of Military Farm Ferozepur Cantt.
2. Ram Karan Son of Shri Putti Lal, Daily wage workers (Casual Workmen) of Military Farm Ferozepur Cantt.
3. Mahesh Son of Shri Ramesh, Daily wage workers (Casual Workmen) of Military Farm Ferozepur Cantt.
4. Ram Bahadur S/O rangi Ram, Daily wage workers (Casual Workmen) of Military Farm Ferozepur Cantt.
5. Brij Mohan Son of Shri Guru Parshad, Daily wage workers (Casual Workmen) of Military Farm Ferozepur Cantt.

... APPLICANTS

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Deputy Director General, Military Farms, Army Head Quarter, R.K.Puram, New Delhi.
3. Director, Military Farms, HQ, Western Command, Chandi Mandir.
4. Officer Incharge, Military Farm, Ferozepur Cantt. Punjab.

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.

Sh. Ram Lal Gupta, counsel for the respondents.

8. O.A. NO.60/1222/2017

1. Sh. Ram Charan aged 49 years, S/o Sh. Muneshwar, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana). Group D.
2. Mam Chand S/o Sh. Ruldu Ram, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
3. Ramesh Kumar S/o Sh. Lalta Ram, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
4. Raj Pal S/o Sh. Puran Chand, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
5. Surinder Singh S/o Sh. Baljit Singh, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
6. Brij lal S/o Sh. Sital Prashad, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
7. Ram Sajwan S/o Sh. Ram Dalal, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
8. Sadhu Ram S/o Sh. Sitla Prashad, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
9. Rai Singh S/o Sh. Bachana Ram, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
10. Tarsem Lal S/o Sh. Mohan Lal, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
11. Virender Kumar S/o Sh. Audho, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
12. Sohan Pal S/o Sh. Mam Raj, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
13. Karam Singh S/o Sh. Chandu Ram, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).
14. Raj Bir S/o Sh. Kuka Ram, Casual Labourer, Military Farm Bir Dhantauri, Kurukshetra (Haryana).

... APPLICANTS VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Deputy D.G, Military Farm, HQ Western Commands, (Farm Branch) Chandi Mandir.
3. Director, Military Farm, HQ Western Commands, (Farm Branch) Chandi Mandir.
4. Officer-In-Charge, Military Farm, Bir Dhantauri P.O. Shahbad Markanda, Kurukshetra (Haryana).

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.
Sh. Ram Lal Gupta, counsel for the respondents.

9. O.A. NO.60/1218/2017

1. Shankar S/o Shri Chander Bali, age 41 years, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
2. Pardesi Mahto S/o Shri Guna Mahto, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
3. Tulsi S/o Shri Mohan, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
4. Nanhe S/o Shri Munishwar, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
5. Gopal Thakur S/o Shri Jhodey Thakur, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
6. Hirdey Ram S/o Shri Ram Naresh, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
7. Ram Bharat S/o Shri Ram Niwas, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
8. Mahesh Kumar S/o Shri Ram Dass, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
9. Hari Ram S/o Shri Raman Shah, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
10. Ravi Kumar S/o Hari Ram, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
11. Ram Kewal S/o Shri Sham Lal, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
12. YogeshMaheto S/o Shri Meghnath, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
13. Sita Ram S/o Jagdish, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D
14. Guddu S/o Shri Ramhit, working as Daily wage workers (Casual Workmen) of Military Farm Jalandhar Cantt. Group-D

... APPLICANTS

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Defence, New Delhi.
2. Deputy Director General, Military Farms, Army Head Quarter, R.K.Puram, New Delhi.
3. Director, Military Farms, HQ, Western Command, Chandi- Mandir.
4. Officer Incharge, Military Farm, Jalandhar Cantt.

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.
Sh. Ram Lal Gupta, counsel for the respondents.

10. O.A. NO.60/1264/2017

1. Ram Nath S/o Sh. Chotey Lal, aged 47 years (UID No.411367469019).
2. Ram Sumer S/o Sh. Mangroo, aged 44 years, (UID No.987252266681).
3. Ram Tirath S/o Sh. Bachhu Lal, aged 45 years, (UID No.542899923266)

All R/o Grass Farm, Military Farm, Ambala Cantt. all working as Casual Labourer at Military Farm, Ambala Cantt. Group-D, Gwala.

... APPLICANTS VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Quarter Master General (QGM), Sena Bhawan, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066
3. Deputy Directorate General of Military Farms, Army Head Quarters, Quarter Master General's Branch, West Block-III, R.K Puram, New Delhi.
4. The Director, Military Farms, HQ Western Command, Chandimandir (PKLA)-134107.
5. The Officer Incharge, Military Farms, Ambala Cantt.

... RESPONDENTS

PRESENT: Sh. Anmol Verma, counsel for the applicants.
Sh. K. K. Thakur, counsel for the respondents.

11. O.A. NO.60/1335/2017

1. Balishter S/o Sh. Lajja Ram, Age 41 years, Casual Labourer, Military farm Ambala (Haryana).
2. Jitender Yadav S/o Sh. Deep Chand, Age 30 years, Casual Labourer, Military farm Ambala (Haryana).
3. Surjit Kumar S/o Sh. Krishan Lal, Age 31 years, Casual Labourer, Military farm Ambala (Haryana).
4. Vijay S/o Sh. Pujan, Age 31 years, Casual Labourer, Military farm Ambala (Haryana).
5. Jugnu @ Sunny S/o Sh. Krishan Lal, Age 37 years, Casual Labourer, Military farm Ambala (Haryana).

6. Ashok Yadav S/o Sh. Subash Yadav, Age 36 years, Casual Labourer, Military farm Ambala (Haryana).
7. Heera Lal Yadav S/o Sh. Kewal, Age 33 years, Casual Labourer, Military farm Ambala (Haryana).
8. Sumit S/o Sh. Om Pal, Age 30 years, Casual Labourer, Military farm Ambala (Haryana).
9. Sanjeev S/o Sh. Baldev Kumar, Age 36 years, Casual Labourer, Military farm Ambala (Haryana).
10. Mukesh Kumar S/o Sh. Nakshed, Age 32 years, Casual Labourer, Military farm Ambala (Haryana).
11. Deepak S/o Sh. Dewki Nadeen, Age 36 years, Casual Labourer, Military farm Ambala (Haryana).
12. Dinesh S/o Sh. Ram Lal, Age 33 years, Casual Labourer, Military farm Ambala (Haryana).
13. Bhrat S/o Sh. Dal Shingar, Age 38 years, Casual Labourer, Military farm Ambala (Haryana).
14. Ramesh K. Giri S/o Sh. Ram K. Giri, Age 37 years, Casual Labourer, Military farm Ambala (Haryana).
15. Ashok S/o Sh. Sat Narayan, Age 30 years, Casual Labourer, Military farm Ambala (Haryana).
16. Vijay S/o Sh. Dwarka, Age 35 years, Casual Labourer, Military farm Ambala (Haryana).
17. Harinder S/o Sh. Deep Chand, Age 37 years, Casual Labourer, Military farm Ambala (Haryana).
18. Ram Narayan S/o Sh. Kesho Ram, Age 39 years, Casual Labourer, Military farm Ambala (Haryana).
19. Saravjeet S/o Sh. Ram Asry, Age 37 years, Casual Labourer, Military farm Ambala (Haryana).
20. Sh. Amit S/o Sh. Krishan Lal, Age 30 years, Casual Labourer, Military farm Ambala (Haryana).
21. Ravinder S/o Sh. Janeshwar Singh, Age 32 years, Casual Labourer, Military farm Ambala (Haryana).

For Group D.

**... APPLICANTS
VERSUS**

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Deputy Directorate General of Military Farms, QMG's Branch, Army Head Quarters, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066.
3. Director, Military Farm, HQ Western Commands, (Farm Branch) Chandi Mandir.

4. Officer-In-Charge, Military Farm, Ambala Cantt. (Haryana).

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.
Sh. Ram Lal Gupta, counsel for the respondents.

12. O.A. NO.60/1524/2017

1. Om Parkash S/o Sh.Bhabhuti Das, Age 33 years, Casual Labourer, Military farm Ambala (Haryana).
2. Jitender Kumar S/o Sh. Ram Chander, Age 45 years, Casual Labourer, Military farm Ambala (Haryana).
3. Shatrughan S/o Sh. Dal Shingar, Age 38 years, Casual Labourer, Military farm Ambala (Haryana).
4. Mukesh S/o Sh. Duklhi Ram, Age 35 years, Casual Labourer, Military farm Ambala (Haryana).
5. Mukesh S/o Sh. Jai Kishan, Age 36 years, Casual Labourer, Military farm Ambala (Haryana).
6. Raj Kumar S/o Sh. Ghisawan, Age 38 years, Casual Labourer, Military farm Ambala (Haryana).
7. Smt. Rekha W/o Sh. Mukesh Kumar, Age 45 years, Casual Labourer, Military farm Ambala (Haryana).
8. Ajay S/o Sh. Jai Kishan, Age 31 years, Casual Labourer, Military farm Ambala (Haryana).
9. Karam Chand S/o Sh. Tilak Raj, Age 31 years, Casual Labourer, Military farm Ambala (Haryana).
10. Amit Kumar S/o Sh. Bhajan Lal, Age 30 years, Casual Labourer, Military farm Ambala (Haryana).
11. Dinesh Kumar Sharma S/o Sh. Bhagwat Sawrup, Age 48 years, Casual Labourer, Military farm Ambala (Haryana).
12. Anand Kumar S/o Sh. Phool Chand, Age 37 years, Casual Labourer, Military farm Ambala (Haryana).
13. Vikas S/o Kamal Chand, Age 32 years, Casual Labourer, Military farm Ambala (Haryana).
14. Vikas Yadav S/O Hari bhajan, Age 30 years, Casual Labourer, Military farm Ambala (Haryana).

(For Group D)

... APPLICANTS

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. Deputy Directorate General of Military Farms, QMG's Branch, Army Head Quarters, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066.

3. Director, Military Farm, HQ Western Commands, (Farm Branch) Chandi- Mandir.
4. Officer-In-Charge, Military Farm, Ambala Cantt. (Haryana).

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.
Sh. Ram Lal Gupta, counsel for the respondents.

13. O.A. NO.60/127/2018

1. Jagdev s/o Sh. Badri Prashad, Casual Labourer, Aged 48 years, Group D, Military Farms Ambala Cantt.
2. Sahadur S/o Sh. Dilraj Yadav, Casual Labourers aged about 43 years, Group D, Military Farms Ambala Cantt.
3. Subedar s/o Sh. Inderjeet, Casual Labourers aged about 51 years, Group D, Military Farms Arnbala Cantt.
4. Ram Bhawan S/o Sh. Mangloo, Casual Labourers aged about 43 years, Group D, Military Farms Ambala Cantt.
5. Jiya Lal S/o Sh. Nirmal Yadav, Casual Labourers aged about 43 years, Group D, Military Farms Ambala Cantt.
6. Ram Ashish s/o Sh. Dasrath, Casual Labourers aged about 47 years, Group D, Military Farms Ambala Cantt.

... APPLICANTS

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi.
2. The Deputy Directorate General of Military Farms, QMG's Branch, Army Head Quarters, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066.
3. The Director, Military Farms, HQ Western Command, Chandimandir 134107.
4. The Officer Incharge, Military Farms, Ambala Cantt.

... RESPONDENTS

PRESENT: Sh. R.K. Sharma, counsel for the applicants.
Sh. Ram Lal Gupta, counsel for the respondents.

14. O.A. NO.60/760/2018

Sher Singh S/o sarup Singh, aged 47 years, R/o H. No.142, New Shakti Nagar, Near Mata Ka Mandir, Moti Nagar, Ambala City, working as Casual

Labourer at Military Farm, Ambala Cantt, Group-D, Gwala, Pin Code-134003.

**... APPLICANT
VERSUS**

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi-110001.
2. Quarter Master General (QGM), Sena Bhawan, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066
3. Deputy Directorate General of Military Farms, Army Head Quarters, Quarter Master General's Branch, West Block-III, R.K Puram, New Delhi-110066.
4. The Director, Military Farms, HQ Western Command, Chandimandir (PKLA)-134107.
5. The Officer Incharge, Military Farms, Ambala Cantt.-133001.

... RESPONDENTS

PRESENT: Sh. Anmol Verma, counsel for the applicant.
Sh. Ram Lal Gupta, counsel for the respondents.

15. O.A. NO.60/821/2018

Shiv Kumar S/o Sh. DUDH Nath, aged 38 years, Working as Veterinary Dresser, Military Farm Bir Dhanturi, Kurukshetra (Haryana), R/o Vill. Masana, P.O. Dhudhla Distt. Kurukshetra-136118. Group D.

**... APPLICANT
VERSUS**

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi-110001.
2. Deputy D.G., Military Farms, HQ Western Command, (Farm Branch), Chandi Mandir-134107.
3. Director, Military Farms, HQ Western Command, (Farm Branch) Chandi Mandir-134107.
4. The Officer Incharge, Military Farms, Bir Dhantauri P.O. Shahbad Markanda, Kurukshetra (Haryana)-136135.

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicant.
Sh. Ram Lal Gupta, counsel for the respondents.

16. O.A. NO.60/1057/2018

1. Arjun S/o Sh. Ram Sumer, aged 31 years, (UID No.4510-2743-0030).
2. Manoj Kumar S/o Late Sh. Nand Lal, aged 35 years, (UID No.4510-5325-1612).

Both R/o Grass Farm, Military Farm, Ambala Cantt., both working as Casual Labourer at Military Farm, Ambala Cantt-133001. Group-D Gwala.

... APPLICANTS

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi-110001.
2. Quarter Master General (QGM), Sena Bhawan, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066
3. Deputy Directorate General of Military Farms, Army Head Quarters, Quarter Master General's Branch, West Block-III, R.K Puram, New Delhi-110066.
4. The Director, Military Farms, HQ Western Command, Chandimandir (PKLA)-134107.
5. The Officer Incharge, Military Farms, Ambala Cantt.-133001.

... RESPONDENTS

PRESENT: Sh. Anmol Verma, counsel for the applicants.
Sh. V.K. Arya, counsel for the respondents.

17. O.A. NO.60/1115/2018

1. Man Singh S/o Rati Ram Age 50 years, Working as Casual Labourer, Military Farm, Bir Dhantauri, Kurukshetra Haryana 136118.
2. Joginder S/o Bhartoo Ram, Age 54 years, Working as Casual Labourer, Military Farm, Bir Dhantauri, Kurukshetra Haryana 136118
3. Kashmiri Lal S/o Churu Ram, Age 46 years, Working as Casual Labourer, Military Farm, Bir Dhantauri, Kurukshetra Haryana 136118
4. Satpal S/o Sh. Budh Ram, Age 47 years, Working as Casual Labourer, Military Farm, Bir Dhantauri, Kurukshetra Haryana 136118.

... APPLICANTS

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Defence, North Block, New Delhi 110001.
2. Deputy Director General, Military Farms, Army Head Quarter, R.K. Puram, New Delhi 110001.
3. Director, Military Farms, HQ, Western Command, Chandi Mandir 134107.
4. Officer-In-Charge, Military Farm, Bir Dhantauri P.O. Shahbad Markanda, Kurukshetra (Haryana).136135.

... RESPONDENTS

PRESENT: Sh. Rohit Seth, counsel for the applicants.
Sh. V.K. Arya, counsel for the respondents.

18. O.A. NO.60/1472/2018

Ravi S/o Sh. Laxman, C/o Sh. B.R. Parbhakar, aged 51 years, R/o H. No.63-C, Kailash Nagar, Model Town, Ambala City (Haryana), 134003 working as Casual Labourer at Military Farm, Ambala Cant. Group-D Gwala.

... APPLICANT

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Defence, South Block, New Delhi-110001.
2. Quarter Master General (QGM), Sena Bhawan, Integrated HQ OF MOD (Army) West Block-III, R.K Puram, New Delhi-110066
3. Deputy Directorate General of Military Farms, Army Head Quarters, Quarter Master General's Branch, West Block-III, R.K Puram, New Delhi-110001.
4. The Director, Military Farms, HQ Western Command, Chandimandir (PKLA)-134107.
5. The Officer Incharge, Military Farms, Ambala Cantt.-134003

... RESPONDENTS

PRESENT: Sh. Anmol Verma, counsel for the applicant.
Sh. K. K. Thakur, counsel for the respondents.

ORDER (Oral)

...

SANJEEV KAUSHIK, MEMBER (J):-

1. This order shall dispose of the above captioned O.As., as they involve identical facts, relief and point of law and likewise is also requested by learned counsel for the parties.
2. For convenience facts are taken from the case of **Munni Lal & Others vs. U.O.I. Etc.**
3. Applicants herein are working as Casual Labours in different cadres, in Military Farms. Though they have challenged closure of Military Farms done vide order dated 20.07.2017 (Annexure A-1), and order dated 28.7.2017 (Annexure A-2) but simultaneously they have also sought issuance of a direction to the respondents to regularize their services in view of the seniority maintained by the respondents (Annexure R-4) and any subsequent seniority list in terms of order dated 11.03.1999 passed by a Co-ordinate Bench this Court in earlier round of litigation in O.A. No.738/HR/1998 titled **Ram Bhawan & Ors. Vs. UOI & Ors.**, wherein a direction had been issued to the respondents that, as and when vacancies become available, cases of the applicants may be considered as per their seniority and findings to this effect have been recorded in para 8 of the order (running page 74 of the paper-book). Learned counsel for the applicants submitted that applicants have already given up their right to challenge closure of Military Farms, which will be taken care of by the Union people before appropriate Government by raising industrial dispute, therefore, their claim for closure of farms may be treated as not pressed with liberty and only prayer for regularization

be considered against available sanctioned vacancies as directed by this Tribunal in the case of **Ram Bhawan** (supra).

4. On notice, respondents have resisted the claim of the applicants by filing written statement.
5. Learned counsel for the respondents submitted that a decision has been taken by Govt. of India for closure of Military Farms due to losses. He submitted that petitions bearing WP(C) No.3123 of 2018 and WP (C) No.5186 of 2018 filed by the similarly placed persons have been disposed of vide order dated 13.08.2018 by the Guwahati High Court in favour of the department by negating the plea of employees against closure of Military Farms. He submitted that since applicants are not pressing their plea for closure of Military Farms, therefore, respondents reserve their right to agitate the issue before competent Court whenever matter comes for consideration, in that connection.
6. Learned counsel for the applicants submitted that since as many as 379 vacancies have been sanctioned by respondents themselves way back on 16.01.2015 (Annexure A-7), out of which 64, come to the share of Western Command, where applicants are working, therefore, he prayed that let cases of the eligible persons be considered for regularization against those vacancies in the order of seniority so that they can be adjusted in terms of policy of the respondents.
7. Sh. R.K. Sharma and Sh. Rohit Seth, counsel for the applicants drew our attention to decisions in the case of **Pawan Kumar vs. UOI Etc.** O.A. No.1626/HR/2013 decided on 3.2.2016, whereby this

Court directed the respondents to consider his claim by recording findings in paras 14 and 15, which reads as follows:

"14. We have given our careful consideration to the matter. From the material on record, it is seen that the applicant has fought a long battle claiming regularization of his service and although there were decisions in many OAs with pointed directions to the respondents to afford favourable consideration for regularization to the applicants in these OAs who were working with the respondent department before and after the Scheme of 1993 was notified and in the case of the retrenched workers but the applicant did not succeed. His name has for a long time been at Sr. No. 1 of the Seniority List of casual labour employed at the Military Farms of the Ministry of Defence. As per the letter of retrenchment issued to the applicant, a commitment was indeed made by the officer in charge, Military Farm, Ambala Cantt that the applicant could be considered for re-engagement as per his seniority as and when regular vacancy occurred and he could take up job basis work to the extent available. The applicant continued to work with the respondent department till 2006 on job basis and undisputedly had been working through the contractor thereafter till date. The contract in this case can only be considered to be a fiction and it has to be accepted that effectively the employer of the applicant was the respondent department. Persons in the same situation as the applicant have been regularized from time to time, but in the case of the applicant, the respondents have taken the ground in order dated 22.5.2015(Annexure A-33) that his services cannot be regularized on account of not having been sponsored by the Employment Exchange in 1988; not having been granted temporary status under the 1993 Scheme and not being a matriculate. So far as the issue of not being eligible for regularization on account of not having been sponsored by the Employment Exchange, this is nullified by the order dated 11.3.1993 passed by the Tribunal in OA No. 775/HR/1998 and some other OAs. Regarding grant of temporary status, it is observed that the applicant was eligible for grant of temporary status as per the 1993 Scheme at the time when the Scheme was notified and had he continued in employment, he would certainly have been granted temporary status and regularized as and when regular vacancy was available since vacancies continue to arise in all Group D cadres on account of natural wastage as well as creation of posts. Moreover, the applicant in the OA has referred to several cases where persons similarly situated to the applicant have been regularized although they had not achieved temporary status and nor were they matriculates. These references have not been rebutted in the written statement filed on behalf of the respondents. Even regarding the issue of being matriculate, we observe that very large number of casual labourers have been regularized in the service of the Central Government in different departments ever since the 1993 Scheme was notified who did not possess the

qualification of matriculation. The applicant has been working as Farm Hand since 1988 even without the qualification of matriculation. The requirement that a Group C employee must be a matriculate, has come into force only after the recommendation of the 6th CPC and became applicable to recruitment in Group D posts that had been upgraded to Group C. These instructions can only have prospective effect and cannot apply to the claims for regularization such as those of applicant that are pending for consideration for more than 1-1/2 decades. Moreover, DOPTs OM dated 23.1.2012 (Annexure A-25) addresses the issue of persons of Group D category who are to be upgraded as Group C and do not have the qualification of matriculation. Even on humanitarian grounds, a person who has labored with the respondent department for 27 years and who was No. 1 on the Seniority List of casual labourer for over twenty years could have been considered for regularization against posts that had been sanctioned to the Western Command in 2010 and 64 such posts were also sanctioned in January, 2015. More such posts would inevitably continue to be available due to natural wastage.

15. Keeping in view the discussion above, this OA is allowed. The order dated 22.5.2015 is quashed and the respondents are directed to consider regularization of services of the applicant against available Group D post (re-designated as Group C) keeping in view his seniority in the list of CLTS, without reference to the aspects of sponsorship by Employment Exchange, educational qualification of the applicant and appointment in 1988 not having been made against regular post. Such consideration may be completed within three months of a certified copy of this order being received by the respondents. No costs."

Though the above order was modified by the Hon'ble High Court in judicial review in CWP No.22792/16 decided on 15.11.2016 which, is also reproduced because as per averment made by the applicants, indicated person is junior to some of the applicants in present petitions:-

"4. After hearing learned counsel for the petitioners, perusing the averments made in the present petition and more particularly, keeping in view the facts and circumstances and also observations of the Tribunal in para 14, we dispose of the instant petition by clarifying that the petitioners shall implement the aforesaid order, however, it shall not be treated as a precedent for other cases and the same be decided individually on the facts and circumstances involved therein.

5. At this stage, a prayer for extension of time has been made by learned counsel for the petitioners to comply with the directions issued by the Tribunal vide order dated 18.10.2016 (Annexure P-4) passed in CP 2 of 3 No. 060/00063/2016.
6. It is directed that the order dated 09.02.2016 (Annexure P-1) be complied with by 30.11.2016 and the attachment of salary in terms of order dated 18.10.2016 (Annexure P-4) shall be kept in abeyance till 30.11.2016, by the Tribunal."
8. There is another decision in the case of **Harinder Yadav vs. UOI** **Etc.** O.A. No.60/568/2015 decided on 26.11.2017, whereby the OA was disposed of by directing the respondents to consider claim of the applicant therein in accordance with law. That decision was also challenged by UOI in CWP No.5569/2018 which was dismissed as withdrawn on 17.04.2018. Based upon above noted judgments, a plea has been raised by learned counsel for the applicants that since a direction has been given in the case of Pawan Kumar (supra) further followed in the case of Harvinder Yadav (supra), then let the cases of the applicants herein be also considered on the same lines. They have also admitted that all the candidates cannot be adjusted because they are large in number and there are only 64 vacancies, therefore, their cases be considered in terms of their respective seniority by a Committee to be constituted by the department and they be directed not to raise plea of over-age and experience and that of not working against sanctioned posts.
9. To this, Sh. Ram Lal Gupta, submitted that since some of the applicants are working in different farms, which are not in their control as they are working through contractor, therefore, their claim cannot be considered.
10. In the wake of the above narrated facts and judicial pronouncements on the rights of the applicants in the above noted OAs, we are of the

view that it will be in the interest of justice and equity to direct the respondents, as requested above, to consider the claim of the eligible persons in terms of seniority list (Annexure R-4) and any other subsequent seniority list against 64 sanctioned posts in terms of letter dated 16.1.2015 (Annexure A-7) for regularization of their services and if they are found eligible in terms of the policy, then order for regularization be passed otherwise a reasoned and speaking order be communicated to them. This will not lead to summarily rejection of the cases of the applicants by the respondents as has been done by them in the cases relied upon by the applicants earlier before of passing order by this Court. Since applicants are poor persons working in Military Farms since 1988 onwards, therefore, respondents will not non-suit them on flimsy grounds because they have to adjust 64 candidates only and for rest of them as has already been submitted, that they will take appropriate course of law against closure of Military Farms.

11. Accordingly, the OAs are disposed of by directing the respondents to constitute a Committee within a period of three weeks from the date of receipt of a certified copy of this order, which will conduct and conclude its proceedings within two months thereafter. If applicants wish to submit anything before Committee, the Committee may also consider their pleas, before passing the final order.
12. Since in some of the cases, we have stayed proceedings, an argument has been raised by learned counsel for the applicants that in some cases wards of the employee are studying, therefore, they be allowed to continue till current academic session and may not be forced to vacate the accommodations. Accordingly, we direct the

respondents that they may not be displaced from official accommodation till current academic session concludes.

13. The O.As. stand disposed of in the above terms along with all the connected MAs. No costs.
14. A photocopy of this order be placed in all the linked files.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 18.02.2019.

Place: Chandigarh.

'KR'

