

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00200/2019

Chandigarh, this the 18th day of March, 2019

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

...
MES No. 502878 Manjit Singh (Group C) age 61 years, S/o Late Sh. Charan Singh, Resident of House No. N-505, Gillco Heights, Gillco Valley, Near Kharar, Sector 127, Mohali, Punjab – 140055.

....Applicant

(Present: Mr. Bhanu Partap Singh, Advocate)

Versus

1. Union of India, through Secretary, Ministry of Defence, Govt. of India, South Block, New Delhi – 110011.
2. Engineer-in-Chief, E-in-C's Branch, Army Head Quarters, Kashmir House, DHQ, New Delhi – 110011.
3. The Chief Engineer, Headquarters, Western Command Chadimandir, c/o 56 APO 908543.
4. The Chief Engineer, Headquarters, Pathankot Zone, Pathankot (PB) – 145001.
5. HQRs 138, C/o 56 APO, Works Engineer, Head Quarters, Commander Work Engineer, Jammu.
6. The Garrison Engineers Jammu, Jammu Cantt, Jammu – 180003.

..... Respondents

(Present: Mr. Sanjay Goyal, Advocate)

**ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)**

1. Heard.
2. Learned counsel submitted that the applicant, along with others, initially approached the Hon'ble High Court of J & K by filing SWP NO. 1582/2014 titled Manjeet Singh & Others Vs. Union of India & others, which was disposed of, on 13.06.2014(Annexure -I), with a direction to the respondents to

consider the claim of the petitioners in the light of the judgment passed in SWP No. 1378/2007 titled Dev Raj & Others Vs. Union of India and Others decided on 17.09.2013. Learned counsel contended that though his case, in compliance of order of High Court's order dated 13.06.2014, was favourably recommended vide letter dated 25.02.2015 (Annexure -J), however, it was ultimately rejected vide a communication dated 25.07.2015 (Annexure A-K), ignoring the ratio laid down in the judgment relied upon by him, by the respondents. Therefore, he served legal notice dated 04.09.2015 (Annexure-L), which has not been decided by the respondents till date. It is further submitted that when the respondents did not decide his claim, he filed CP No. 444/2015 in IA No. 1/2018 which was disposed of on 28.01.2019.

3. Learned counsel submitted that the applicant will be satisfied if a direction is issued to the respondents to re-consider his claim in light of the judgment relied upon by him by passing a reasoned and speaking order, on indicated notice.

4. Notice.

5. At this stage, Mr. Sanjay Goyal, Sr. CGSC, appears and accepts notice. He does not object to the disposal of the O.A. in the above terms.

6. In the wake of above, the O.A. is disposed of, in limine, with a direction to the respondents to re-consider the pointed legal notice, specifically in light of judgment relied upon by the applicant. If the applicant is found similarly situated like the applicant in the relied upon judgment, the similar benefit be

granted to him, otherwise a reasoned and speaking order be passed within a period of two months from the date of receipt of a copy of this order and a copy thereof be duly communicated to the applicant.

7. Needless to mention, the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 18.03.2019

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