

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
Chandigarh, this the 30th day of January, 2019

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

...
(I) OA NO.60/298/2018 & MA No.60/666/2018

Kewal Krishan (SD-400048), age 47 years, son of Sh. Babu Lal, working as Daftry in the office of MGIC, Headquarters Western Command, (Adm Branch), C/o 56 APO (resident of near litter flower school, BCW Surjpur, Panchkula, Haryana, Group-D.

... **APPLICANT**

(Present: Mr. K.B. Sharma proxy for Mr. Pankaj Mohan Kansal, Advocate)

VERSUS

1. Union of India through the Secretary, Ministry of Defence, North Block, New Delhi.
2. The Director General Personnel / CSCC Military Engineer Services, Engineer-in-Chief's Branch, Kashmiri House, New Delhi-110011.
3. The Chief Engineer, Western Command, Headquarters, Chandimandir-134107.
4. The Principal Controller of Defence Accounts (Western Command), Sector 9, Chandigarh.
5. The MGIC, Headquarters Western Command, (Adm Branch), C/o 56 APO.

... **RESPONDENTS**

(Present: Mr. K.K. Thakur, Advocate for respondents no. 1-4
Mr. A.K. Sharma, Advocate for respondent no. 5)

(II) OA NO.60/295/2018 & MA No.60/665/2018

Manmohan Singh (SD-400049), age 49 years, son of Late Sh. Shyam Singh, working as J/Messenger under MGIC, Headquarters Western Command, (Adm Branch), C/o 56 APO (resident of 249, Type II, New MES Colony, Chandimandir Cantt, Haryana, Group-D.

... **APPLICANT**

(Present: Mr. K.B. Sharma proxy for Mr. Pankaj Mohan Kansal, Advocate)

VERSUS

1. Union of India through the Secretary, Ministry of Defence, North Block, New Delhi.
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5. The MGIC, Headquarters Western Command, (Adm Branch), C/o 56 APO.

... RESPONDENTS

(Present: Mr. K.K. Thakur. Advocate for respondent no. 1-4
Mr. A.K. Sharma, Advocate for respondent no. 5)

ORDER (oral)

SANJEEV KAUSHIK, MEMBER (J)

As facts and question of law involved in these two captioned cases are common and as such we propose to dispose them by a common order. For facility of reference, the facts are being taken from O.A. No. 060/00298/2018- **Kewal Krishan vs. Union of India & Ors.**

2. Learned counsel appearing on behalf of the applicants placed reliance on the order passed by this Tribunal in a bunch of Original Applications (O.A.) the leading one being O.A. No. 060/747/2017- **Baldev Singh & Ors. vs. Union of India & Ors. decided on 5.7.2018** on the same facts and same relief as claimed by the applicant herein, decided in favour of applicants (therein), therefore, this O.A. be disposed of in the same terms by directing

the respondents to reconsider and decide the claim of applicants by passing a reasoned and speaking order.

3. Learned counsel representing the respondents is not in a position to say anything contrary to the prayer made by the learned counsel for applicant.

4. We have considered the matter and find that the facts of this case are squarely covered by the decision rendered in the case of Baldev Singh & Ors. (supra). Therefore, the O.A. is disposed of in the same terms as in the case of Baldev Singh & Ors.(supra). Pending M.A., also stands disposed of, accordingly. No costs.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 30.01.2019
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