

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

**ORIGINAL APPLICATION Nos.74/2019,**  
**75/2019 & 80/2019**

**DATE OF DECISION: 8<sup>th</sup> February, 2019**

**CORAM: R. VIJAYKUMAR, MEMBER (A)**  
**RAVINDER KAUR, MEMBER (J)**

**OA No.74/2019**

1. Shri Pandhari Narayan Bobhate  
Age 61 years and  
602, Haze Apt., Near Canara Bank  
S.G. Barave Marg, Nehru Nagar  
Kurla (East), Mumbai - 400 024.
2. Shri Madhukar Anna Sawant  
B-702, Bldg.NO.41, Sai Sadan  
Co-op Society, Nehru Nagar,  
Kurla (East), Mumbai - 400 024.
3. Shri Rohidas Dattatray Pawar  
Shree Ganesh CHS Ltd.  
G-9/206, Gharonda, Sector 9,  
Ghansoli, Navi Mumbai - 400 701.
4. Shri Namdeo Bhagaji Wayal  
Shreehari Complex, Flat No.703,  
Thisgaonpada, Nr.Samarat Ashok School  
Kalyan - 421 306.
5. Shri S.B. Shelake  
206, Siddheshwar Apartment  
Nr. One Life Gym, Parsiknagar  
Kalwa, Thane - 400 605.
6. Shri Subhash Prabhakar Parab  
61 B-3, Nagrinivara Parishad  
Zone No.2, Goregaon (E),  
Mumbai - 400 065.
7. Shri Harish Keshavji Thakkar  
541-B Gajjar Niwas, Block No.5,  
Dr. Babasaheb Ambedkar Road,  
Matunga, Mumbai - 400 019.



8. Shri Anil Parshuram Chavan  
405, Sarvodaya Ganga  
Wallipeer Road,  
Kalyan (W) - 421 301.
9. Shri Premchand Dayabhai Kavasias  
601/B-2, 6<sup>th</sup> Floor, Mill Kamgar  
MHADA Transit Camp (Swan Mill Compound)  
New Mill Road, Krishna Chowk  
Kurla (West), Mumbai - 400 070.
10. Shri B. Devanand Padmakar Rao  
A-7, Plot A, 3<sup>rd</sup> Floor,  
Shikshak Mitra Mandal CHS Ltd.  
LBS Marg, Kurla (West)  
Mumbai - 400 070.  
All applicants address is  
"The Base Victualling Officer  
Base Victualling Yard,  
Colaba, Mumbai - 400 005.      ... **Applicants**

( **By Advocate Ms. L.B. Patne** )

**VERSUS**

1. Union of India through Secretary  
Government of India, Ministry of  
Defence, South Block,  
New Delhi - 110 011.
2. The Flag Officer Commanding in Chief  
Headquarters, Western Naval Command  
Shahid Bhagat Singh Road,  
Mumbai - 400 001.
3. The Chief of Naval Staff  
Integrated Headquarters  
Ministry of Defence (Navy)  
C-Wing, Sena Bhawan,  
New Delhi - 110 011.
4. The Chief Staff Officer (P&A)  
Headquarters, Western Naval Command,  
Shahid Bhagat Singh Road,  
Mumbai - 400 001.



5. The Director  
Principal Controller of Defence of  
Accounts (Navy)  
(Pay Section) No.1, Cooperage Road,  
Mumbai - 400 001.
6. The Flag Officer Commanding  
Headquarters, Karnataka Naval Area,  
Naval Base, Karwar - 581 308.
7. The Base Victualling Officer  
Base Victualling Yard  
Dr. Homi Bhabha Road,  
Near Afgan Church,  
Colaba, Mumbai - 400005. ... **Respondents**

**OA No.75/2019**

1. Shri T.A. Aga (SSS)  
Age 61 years &  
404 Aman's Fortune  
Maimolem, Opp. Aristocrat Apartment  
Mangoor Hil, Vasco-Da-Gama  
Goa - 403 802.
2. Shri G.K. Pawaskar (ANSO-II)  
H.No.1471/16, Vanita Visawa  
Wada, Madkai Tonk, Ponda  
Goa - 403 404.
3. Shri K.G. Naik (ANSO-II)  
H.No.46/B, Pundalik Nagar  
Matvim - Damolim, Post Chicalim  
Goa - 403 711
4. Shri K.V. Naik (SSS)  
H.No.432, Undir - Bandora  
Ponda, Goa - 403 404
5. Shri K.K. Naik (SSS)  
MHN-34, Near New Vaddem  
Last Bus Stop, New-Vaddem  
Vasco-Da-Dama, Goa - 403 802
6. Shri E.A. Rodriques (SSS)  
316/A, 4<sup>th</sup> Ward, Colva  
Salcete, Goa - 403 708.



7. Shri P.Y. Shet (SSS)  
H. No.3, Non-Mon  
Vasco-Da-Gama, Goa - 403 802.
  8. Shri P.A. Naik (SSS)  
Raghav Apartment, C-3,  
First Floor, Opp. Multipurpose  
School, Borda Margoa -  
Goa - 403 602.
  9. Shri D.V. Parastekar (SSS)  
H.No.52, Near Car Washing Centre  
Vaddem, Vasco-Da-Gama,  
Goa - 403 802.
  10. Shri T.V. Gaude (SSS)  
H.No.350, Dongri  
Dhactebhat, Tiswadi,  
P.O.Neura, Goa-403 104.
  11. Shri R.N. Sinai (SSS)  
I/D, River Height Apt.  
Near Vidhya Mandir School,  
Adarsh Nagar, Chicalim,  
Goa - 403 711.
  12. Shri S.P. Naik (SSS)  
Near Vithoba Rakhumai Temple  
H.No.755, Betim, Bardez  
Goa - 403 101.
  13. Shri C.P.S. Akonso (SSS)  
(Cesar Perpetuo Socorro Afonso)  
H.No.70A, Nagvaddo Betalbatim  
Salcete Goa - 403 713.
  14. Shri Seby Miranda (SSS)  
H.No.241, Bollepand  
Fatorda - 403 602.  
Margao - Goa.  
All applicants address is  
"The Flag Officer Commending  
for SO/Naval Aviation  
Goa - 403 809. ... Applicants
- ( By Advocate Ms. Lata Patne )

**VERSUS**

1. Union of India through Secretary  
Government of India, Ministry of



Defence, South Block,  
New Delhi - 110 011.

2. The Chief of Naval Staff  
Integrated Headquarters  
Ministry of Defence (Navy)  
C-Wing, Sena Bhawan,  
New Delhi - 110 011.
3. The Flag Officer Commanding in Chief  
Headquarters, Western Naval Command  
Shahid Bhagat Singh Road,  
Mumbai - 400 001.
4. The Flag Officer Commanding for SO (Civ)  
Goa Naval Area/Naval Aviation  
Goa - 403 809.
5. The Material Superintendent (for CEO)  
Material Organisation  
Dabolim, Goa - 403 801.
6. The Commodore Superintendent (for CEO)  
Naval Aircraft Yard  
Dabolim, Goa - 403 801.
7. The Assistant Controller of Defence  
of Accounts, Dipavali Complex,  
Near DRDO, Shanti Nagar,  
Vasco Goa - 403 802.
8. The Director  
Principal Controller of Defence of  
Accounts (Navy) (Pay Section)  
No.1, Cooperage Road,  
Mumbai - 400 001.      ...      **Respondents**

**OA No.80/2019**

1. Shri Girish S. Prabhu  
Age 61 years &  
B/505, Vasant Prakash CHS Ltd.  
Opp. Amarnath Tower, Off.  
J.P. Road, 7<sup>th</sup> Bungalow,



- Andheri (West), Mumbai - 400 061.
2. Shri Shrikant V. Kankekar  
A-302, Gorai Jankalyan CHS Ltd  
Gorai-1, Near Orchids International  
School, Borivali (West),  
Mumbai - 400 091.
  3. Shri Pradeep Jadhav  
601, Pandurang Niwas CHS Ltd.  
Vishnu Nagar Lane No.1,  
Sambhaji Path, Naupada,  
Thane - 400 602.
  4. Shri Peter Alex Toscano  
Shanti Sadan Ghosali  
P.O. Agashi, Tal. Vasai,  
Dist. Palghar - 401 301.
  5. Shri Chandrakant Narayan Indap  
105, New Sindhudurg CHS Ltd.  
Navapada, N. Subhash Road  
Dombivali (West) 421 202.
  6. Shri Sukhadev Narayan Shinde  
505, Kapilvastu K-4 CHS Ltd.  
Shastri Nagar, Goregaon (West)  
Mumbai - 400 104.
  7. Shri Subhash Babu Deokule  
Uphaar, Flat No.201,  
J.P. Road, Andheri, Varsova,  
Andheri (West) - 400 061.
  8. Shri Vijaykumar Anna Vichare  
604, Emerald Park CHS Ltd.  
Veera Desai Road, Andheri (West)  
Mumbai - 400 058.
  9. Shri Ajay Damodar Kuchewar  
Aai Ambe, CHS Ltd., SRA Bldg.No.19  
Wing - A, Room No.1008, 10<sup>th</sup> Floor  
Opp. Kohinur Hospital,  
Kurla (West), Mumbai - 400 070.



10. Shri Vinayak Ganpat Sawant  
9/161, Juhu-Natraj CHS Ltd.  
Gulmohar Cross Road No.9,  
Juhu, Mumbai - 400 049.
11. Shri Balkrishna R. Narkar  
Sector 9, Building No.C-69  
Room No.003, Shantinagar  
Mira Road (East), Thane - 401 107.
12. Shri Chandrakant Pundalik Narkar  
B-403, Rajmudra CHS Ltd.  
Parag Nagar, New Link Road,  
Dahisar, Mumbai - 400 068.
13. Shri Avinash Rajaram Kadam  
E/479, Rashtra Sarathi Sukhada Soc.  
Arunoday Nagar,  
Mulund (East) - 400 081.
14. Shri Satish Jivandas Paleja  
20, Mangesh Shenoy Street  
Room No.19, 4<sup>th</sup> Floor,  
Bhatia Bldg, Fort,  
Mumbai - 400 001.
15. Shri Gunaji Tukaram Desai  
Bldg No.03, D Wing, Flat No.58,  
Vaishali Apartment CHS Ltd.  
Vaishali Nagar, Mulund (West)  
Mumbai - 400 080.
16. Shri Shrikant Mahadeo Bhosle  
401, Om Dronagiri CHS Ltd,  
Shantivan Sant Dnyaneshwar Marg,  
Borivali (East), Mumbai - 400 066.
17. Shri P.J.R. Nair  
Om Sai Darshan, Plot No.204  
Sector 40, Plot No.41,  
Seawood (West), Navi Mumbai.



18. Shri Rajkumar Namdeo Loke  
D2/35, Asmita Jyoti Society  
Marve Road, Malad (West),  
Charkopnaka, Nr. Fire Brigade  
Mumbai - 400 095.
19. Shri V.R. Jadhav  
5/83, Shantiniketan Society  
Samata Nagar, Kandivali (East)  
Mumbai - 400 101.
20. Shri Vinayak Balkrishna Gholkar  
13/A 404, Shanti Niketan CHS Ltd  
Kandarpada, Dahisar (West)  
Above City Co-op Bank,  
Mumbai - 400 068.
21. Shri Avinash Gajanan Shivalkar  
B 507, Vijaynagar, Eksar Road,  
Borivali (West), Mumbai - 400 092.
22. Shri Sitaram Vishram Chalke  
701, Sai Shanti CHS Ltd.  
Eksar Road, Borivali (West)  
Mumbai - 400 092.
23. Shri Krishnarao Bapusaheb Ghatge  
203, Krishna Avenue Sawarpada  
Borivali (East), Mumbai - 400 066.
24. Shri C.K.R. Karnavar  
A-102, Guruprem CHS Ltd  
Veer Savarkar Marg,  
Dombivli (East) - 421 201.
25. Shri S.G. Maldikar  
301, Classic View Annex.  
New Link Road, Kander Pada,  
Dahisar (West), Mumbai - 400 068.
26. Shri Krisha S. Padwal  
1A/04, Sai Charan CHS Ltd.  
Saiwadi, Andheri (East)  
Mumbai - 400 069.



27. Shri Kapil D. Vanarase  
203, Shingar CHS Ltd.  
Mithagar Road, Mulund (East)  
Opp.V.P.M. School,  
Mumbai - 400 081.
28. Mohammad Abdul Rahman  
'D' Wing, 102, Golden Park  
Near Shimla Park, Kausa  
Mumbai - 400 612.
29. Shri I.M. Shaikh  
Flat No.1001, 10<sup>th</sup> Floor,  
Boule Ward-1, Opp. R.city Mall,  
Wadhwa, LBS Road, Ghatkopar - 400 086
30. Shri V.S. Kangane  
Shreeganesh Kalyan CHS Ltd.  
Block No.202, 2<sup>nd</sup> Floor,  
Near Durgamata Mandir Katemanivali,  
Kalyan (East), Tal. Kalyan,  
Dist. Thane.
31. Shri Prakash S. Gorule  
001, Omkar Tower, Siddhivinayak Nagar,  
Green City Road, Ambernath (East)  
- 421 501.
32. Shri Vijay Shantaram Bane  
Torna CHS Ltd, Flat No.8,  
Jagdusha Nagar, Golibar Road,  
Ghatkopar (West), Mumbai - 400 086.
33. Shri Harishchandra Krishnakant Amrute  
B-303, Shree Ameya CHS Ltd.  
Chogle Nagar, Savarpada, Borivali (East),  
Mumbai - 400 066.
34. Shri Ramnath S. Jha  
01, Salpadevi Mandir Complex,  
Madan Mohan Maluiya Marg,  
Opp. Ralliwolf, Mulund (West)  
Mumbai - 400 080.



35. Shri Hussain Nasir  
C- Sector, R.No.H/1/14,  
Cheetah Camp, Trombay,  
Mumbai - 400 088.
36. Shri K.E. Sawant  
222, M.N. Dr. Viegas Street  
Room No.18, 3<sup>rd</sup> Floor,  
Cavelx Lane 7, Chirabazar,  
Mumbai - 400 002.
37. Shri Kiran Prabhakar Tambade  
Sudha Smruti Sagar, B Wing  
Are Road, Tilak Nagar Post  
Office, Dombivali (East)  
- 421 201.
38. Shri D.D. Bhatt  
D-304, Silicon Tower  
Sector 30A, Plot No.46,  
Vashi, Navi Mumbai - 400 070.
39. Shri Samuel R. Darole  
C/44, Ishkrupa V.B.P.  
Deshpande Marbg, Vile Parle (E),  
Mumbai - 400 057.
40. Ayub Abdul Karim Surve  
Row House No.19, Phase-4,  
Vighnarharta Enclave CHS  
Malewadi, Sukapur, Panve  
Matheran Road, Panvel,  
Dist. Raigad.
41. Shri Chandrashekhar Narayan Gurav  
residing at Kanti Bhuvan, Room No.1,  
Gokhale Society Lane, Parel,  
Mumbai - 400 012.                      ... Applicants

( By Advocate Shri A.D. Joshi )

VERSUS



1. Union of India through Secretary  
Government of India, Ministry of  
Defence, South Block,  
New Delhi - 110 011.
2. The Flag Officer Commanding in Chief  
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Principal Controller of Defence of  
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Naval Base, Karwar - 581 308.
7. The Base Victualling Officer  
Base Victualling Yard  
Dr. Homi Bhabha Road,  
Near Afgan Church  
Colaba, Mumbai - 400 005.... **Respondents**

**O R D E R (ORAL)**

**Per: R. Vijaykumar, MEMBER (A)**

Heard      learned      counsels      for      the  
applicants.



2. They have sought revised pay fixation based on the orders of the Sixth Pay Commission and they argued that, for the purpose of pay fixation as on 01.11.2006, basic pay should have been taken as Rs.6500 in the pre-revised scale rather than as Rs.5000-5500 as actually adopted by the respondents. Some of the applicants, particularly in OA Nos.75/2019 and 80/2019, have filed individual representations in July/August, 2012 and also their Association, in which they state that they are members, has filed a representation with the respondents on 23.04.2018 and these representations continue to remain pending with the respondents for orders.

3. In the facts and circumstances of the matter, it would be appropriate to give directions to the respondents to consider these representations at an early date. The applicants are therefore at liberty to file any additional/representation that they may wish to make to supplement the earlier said representations and the representation given in common by their Association to the respondents, within four weeks. The respondent Nos.1 & 3 are directed to consider such representations upon



receipt alongwith earlier representations already filed by various applicants and to pass a reasoned and speaking order within three months thereafter and these orders shall be communicated to the applicants within two weeks thereafter.

4. The Original Applications are, therefore, disposed of in the above terms without any order as to costs. All the MAs also stand closed. It is made clear that this Tribunal has not entered into the merits of the matter nor has it looked into the aspects of limitation or other legal aspects at this point in time.

(Ravinder Kaur)  
Member (J)

(R. Vijaykumar)  
Member (A)

ma.

JWJ  
12/12



