

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

Original Application No. 291/60/2017

DATE OF ORDER: 09.08.2019

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

1. Anil Kumar Pareek S/o Sh. Shyam narain Pareek R/o 1493, Jat Ke Kuwe Ka Rasta, Chand Pole Bazar, Jaipur (Rajasthan).
2. Sh. P N Mathur S/o Sh. L L Mathur R/o 157, Prithvi raj Nagar, Maharani Farm, Durgapura, Jaipur (Rajasthan).
3. Smt Gyan Batra W/o Sh. Ajaya Batra R/o Plot no. 3, DHA 2, Jawahar Nagar, Jaipur (Rajasthan).

All working as Senior Supervisor in the office of Directorate of Census Operations, Jhalana Dungari, Jaipur.

....Applicants

Mr. Manoj Pareek, counsel for applicants.

VERSUS

1. Union of India through the Secretary, Ministry of Home Affairs, North Block, Central Secretariat, New Delhi – 110001.
2. The Registrar General India – cum – Census Commissioner, 2-A, Man Singh Road, New Delhi.
3. The Joint Director, Directorate of Census Operations, Ministry of Home Affairs, 6-B, Jhalana Dungari, Jaipur-303004.

....Respondents

Mr. N.C. Goyal, counsel for respondents.

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

"I. Direct the respondents to remove the anomaly in pay fixation of applicants by stepping up their pay in the PB 3rd Rs. 15600-39100 + GP Rs. 5400/- from the due date when juniors started getting more pay with all consequential benefits.

II. Any other order or direction deem fit and proper in the facts and circumstances of the case may be issued.

III. Applicants may kindly be permitted to file a joint original application.

IV. Cost of the OA be allowed in favour of the applicants."

2. Learned counsel for the applicants submitted that before filing the present Original Application, the applicants got issued a legal notice (Annexure A/1) through their counsel on 29.07.2016 for redressal of their grievance. He further submitted that the matter is squarely covered by an order dated 13th July, 2018 passed by the Chandigarh Bench of this Tribunal in O.A. No. 556/2017 (Jaswant Kaur & Ors. vs. Union of India & Ors.). Even a Review Application filed against the said order has also been dismissed.

3. The fact with regard to the aforesaid order passed by the Chandigarh Bench of this Tribunal being similar to the present Original Application has not been disputed by learned counsel for the respondents.

4. Learned counsel for the applicants stated that the applicants would be satisfied if a direction is issued to the respondents to treat aforesaid legal notice as their representation and decide the same by way of passing a reasoned and speaking order while keeping in view the order passed by the Chandigarh Bench of this Tribunal in O.A. No. 556/2017 (supra).

5. In view of the aforestated limited prayer made by learned counsel for the applicants, we deem it appropriate to dispose of the present Original Application with a direction to respondent no. 2 to treat the applicants' legal notice dated 29.07.2016 (Annexure A/1) as their representation and take a decision over the same by way of passing a reasoned and speaking order while keeping in view the order dated 13th July, 2018 passed by the Chandigarh Bench of this Tribunal in O.A. No. 556/2017 (supra). Before taking any decision in the matter, the applicants shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of four months from the date of receipt of a certified copy of this order.

6. Ordered accordingly. No order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

Kumawat