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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.2370/2003

Thursday, this the 25th day of September, 2003

HON'BLE MRS. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)  
HON'BLE MR. V.K. MAJOTRA, MEMBER (A)

1. Gianendra Kumar,  
Asstt Engr (Civil), CPWD,  
Nagpur Central Circle,  
22B, Borde Layout, Friends Colony,  
Catal Rd, Nagpur-440 013
2. Hari Om Singh,  
Asstt Engr (C), CPWD,  
Agartala Central Circle,  
Agartala
3. Vipin Kumar  
Junior Engr (C), CPWD,  
Flat-200, Kamna Apt  
187, Shalimar Extn-I, Sahibabad

Applicants

(By Advocate : Shri G.K. Aggarwal, proxy  
for Shri N.K. Aggarwal)

Versus

1. Union of India thro'  
Director General (Works) & Head  
Central Public Works Deptt.,  
Nirman Bhawan, New Delhi- 110 011
2. Addl. Director general (Training)  
Central Public Works Deptt.,  
'E' Wing, Nirman Bhawan,  
New Delhi-110 011

... Respondents

O R D E R (ORAL)

BY HON'BLE MRS. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J) :

Heard Shri G.K. Aggarwal, learned proxy counsel for applicants.

2. MA 2032/2003 has been filed by ~~the~~ three applicants seeking similar relief. They have also submitted that they have similar cause of action against the respondents. It is further noticed that the learned counsel for the applicants had sent a representation to the respondents on 18.8.2003 on

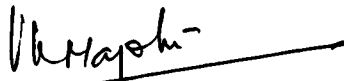
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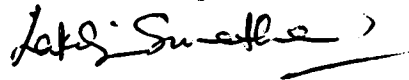
their behalf with regard to Tribunal's order dated 30.5.2003 in OA 288/2003. The operative portion of the order reads as follows:-

"6. In the circumstances of the case, we are unable to agree with the contentions of Shri G.K. Aggarwal, learned counsel that this case is distinct and can be separated from the case of Ajmer Singh (supra), on which a decision has yet too be pronounced by the Tribunal, in terms of Hon'ble High Court order dated 24.9.2002. On the other hand, the decision in the O.A. will follow from the decision of the Tribunal in Ajmer Singh's case (supra). In this view of the matter, we dispose of this O.A. that the decision in the present case shall abide by the decision of the Tribunal in Ajmer Singh's case (supra). No order as to costs."

3. The order of the Tribunal in Ajmer Singh's case (O.A. 1874/2001) has been pronounced on 7.8.2003. Thereafter, as mentioned above, representation has been made on behalf of the present applicants on 18.8.2003 to the respondents to extend to them similar benefits. The complaint of the learned counsel is that no reply has been received by the applicants till date on the representation dated 18.8.2003. Hence this OA has been filed on 17.9.2003 i.e. within one month of the representation.

4. Taking into account the relevant facts mentioned above and the provisions of Section 20 of the Administrative Tribunals Act, 1985, this is an OA which is premature as it has been filed without giving sufficient time to the respondents to deal with the matter and in particular, with the aforesaid representation. In this view of the matter, the OA is dismissed as premature.

  
(V.K. MAJOTRA)  
MEMBER (A)

  
(MRS. LAKSHMI SWAMINATHAN)  
VICE CHAIRMAN (J)