

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/01139/2019
Chandigarh, this the 06th day of November, 2019

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)

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1. Jayant Verma, aged 50 years, s/o Girish Verma, R/o Flat no. 104, Krishan Vihar, Sector 21-C, Faridabad, Hy 121012 Superintendent, CGST, Faridabad (Group B)
2. Rajesh Kumar, aged 50 years, S/o Awadhesh Kumar, R/o 2511, Sainik Coloney, Sector 49, Faridabad, Hy 121001. Superintendent, CGST, Faridabad (Group B).
3. Bijay Kumar Sinha, aged 49 years, S/o Late Sh. Ramchandrra Sinha, R/o Flat No. 999, Type-4, NH-4, Faridabad, Hy121001 Superintendent, CGST, Faridabad (Group B)
4. Ajay Kumar, aged 51 years, S/o Gian singh, R/o Flat No. E-51, Kapil Vihar, Sector 21-C, Faridabad, Hy 121012 Superintendent, CGST, Faridabad (Group B)
5. Girish Kumar Arora, aged 54 years, S/o Inder Dev, R/o F-113, Sector 10, Faridabad, Hy 121006 Superintendent, CGST, Faridabd (Group B)
6. Manoj Kumar, aged 50 years, S/o G.P. Choudhary, R/o Flat No. 17, JDM, Plot No. 11, Sector 5, Dwarka, New Delhi - 110075, Superintendent, CGST, Faridabad (Group B).
7. Rajesh Kumar Gupta, aged 53 years, S/o Late G.K. Gupta, R/o 298, Sector 17, Faridabad, Hy. 121002 Superintendent, CGST, Faridabad (Group B).
8. Arvinder Singh, aged 48 years, S/o Hari Singh, R/o HN 48, Sector 17, Faridabad, Hy. 121002, Superintendent, CGST, Audit, Faridabad (Group B)

....Applicant

**(Present: Mr. Gursharan Singh, Advocate for Mr. Niranjana
Bharti, Advocate)**

Versus

1. Union of India through the Secretary to Ministry of Finance, Nehru Place, New Delhi, Delhi - 110019.
2. The Central Board of Indirect Taxes and Customs, Ministry of Finance, Department of Revenue, New Delhi through its Chairman, North Block, New Delhi - 110001.

3. The Chief Commissioner, Central Goods and Services Tax, Panchkula Zone, SCO 407-408, Sector 8, Panchkula, Haryana 134109.
4. The Commissioner, Central Goods and Service Tax, Faridabad Commissionerate, Block-C, New CGO Complex, NH-IV, Faridabad, Haryana – 121001.

..... **Respondents**

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. M.A. No. 060/01754/2019 is allowed and the applicants are permitted to join together to file this O.A.
2. Heard.
3. At the very outset, learned counsel very fairly submitted that before approaching this Court, the applicants have prayed to the respondent department to grant them non-functional grade by submitting representations (Annexure A-1 colly), based upon the judicial pronouncement by this Court in the case of **Hardish Kumar Gill Vs. Union of India & Others** (O.A. No. 060/00541/2019 decided on 22.05.2019) wherein a similar issue has been put to rest. He further submitted that since the representations filed by the applicants are pending consideration at the hands of the respondents, therefore, a direction be issued to the respondents to decide the pending claim of the applicants in accordance with law expeditiously.
4. Considering the short prayer made by the learned counsel for the applicant, we dispose of the O.A. , in limine, with a direction to the Competent Authority amongst the respondents to consider and decide the claim of the applicants, as raised in the indicated representations (Annexure A-1 colly), in view of the ratio laid down in the relied upon

case. If the applicants are found similarly situated like the applicants in the relied upon case, the relevant benefits be granted to them, otherwise a reasoned and speaking order be passed within a period of three months from the date of receipt of a copy of this order.

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

(MOHD. JAMSHED)
MEMBER (A)

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(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 06.11.2019

