

(2020) 12 CAT CK 0085

In the Central Administrative Tribunal

Case No : Original Application No. 2192 Of 2020, Miscellaneous Application No. 2791 Of 2020

Kadu Ram Meena

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 24-12-2020

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2020) 12 CAT CK 0085

Hon'ble Judges : A. K. Bishnoi, Member (A); R.N. Singh, J

Bench : Division Bench

Advocate : Yogesh Sharma, H.K. Gangwani

Final Decision : Disposed Of

Judgement

R.N. Singh, Member (J)

1. The applicants, 43 in numbers, have filed the present OA u/s 19 of the Administrative Tribunal Act, 1985, praying therein for the following reliefs:-

â??(i) That the Honâ??ble Tribunal may graciously be pleased to pass an order directing the respondents to consider the cases of the

applicants for their appointment to the post of Beldar/Khalasi/SafaiKaramchari etc. (Group â??Dâ??/MTS) as per their suitability by way

of extending the benefits of judgment dated 19.2.2020 passed by the Honâ??ble Central Administrative Tribunal, Principal Bench, New

Delhi in OA No.301/2016 along with the applicants of the OA No. 301/2016 with consequential benefits.

(ii) Any other relief which the Honâ??ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of

litigation.â??

2. Learned counsel for applicants submits that the applicants are similarly placed and the reliefs sought by them are also the same.
3. The applicants have filed M.A. No.2791/2020, seeking permission of this Tribunal to file the aforesaid OA jointly. For the reasons given therein in the MA and keeping in view no objection from the learned counsel appearing for the respondents, this MA stands allowed.
4. Learned counsel for the applicants submits that the applicants are similarly placed, as the applicants in OA No.301/2016, titled Murari Lal Meena and others vs. C.P.W.D. and others, decided by this Tribunal vide Order/Judgement dated 19.02.2020 (Annexure A/2), the respondents are required to extend the benefit of the said Order/Judgement dated 19.02.2020 to the applicants at their own.
5. However, in spite of the legal notice dated 07.09.2020 followed by another one dated 18.11.2020 (Annexure A/1), no remedial action has been taken by the respondents till date.
6. Issue notice. Shri H. K. Gangwani, learned Senior Central Government counsel, who appears for the respondents on advance service, accepts notice.
7. At this stage, learned counsel for the applicants submits that the applicants shall be satisfied if the present OA is disposed of with direction to the respondents to respond to the legal notices (Annexure A/1) sent by the applicants to the respondents, keeping in view the Order/Judgment dated 19.02.2020 under reference in a time bound manner.
8. We are of the considered view that if such request of the learned counsel for the applicants is accepted, no prejudice is likely to be caused to the respondents.
9. In view of the aforesaid, without going into the merits of the claim of the applicants, OA is disposed of with direction to the respondents to consider the claim of the applicants, keeping in view the aforesaid Order/Judgement dated 19.02.2020 of this Tribunal in Murari Lal Meena (supra) and respond to the legal notices (Annexure A/1) sent on behalf of the applicants to the respondents as expeditiously as possible and in any case within six weeks from the date of receipt of a copy of this Order.
10. OA disposed of in the aforesaid terms. No order as to costs.