

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5328 of 2016 (O&M)

Date of Decision: 21.03.2016

UOI & Ors.

... Petitioners

VS.

CAT & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE P.B. BAJANTHRI

Present: Mr. PC Goyal, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The Union of India and its authorities in the Ministry of Defence have laid challenge to the order dated 16.04.2015 (P3) passed by the Central Administrative Tribunal, Chandigarh Bench (in short, 'the Tribunal') directing to treat respondents No.3 to 6 as skilled workers.

(2) On a plain reading of the impugned order, it is explicit that the Tribunal has accepted the claim of private respondents on the basis of a previous order passed by the Principal Bench of the Tribunal in identical circumstances in OA No.762 of 2002 allowed on 02.12.2002. The Union of India challenged that order of the Tribunal in Writ Petition (Civil) No.9539 of 2003 which was dismissed on 19.04.2006 and SLP against the judgement was also dismissed by the Hon'ble Supreme Court on 04.09.2009. Further, it is evident from the impugned order that the claim of the respondent/applicants before the Tribunal was conceded on behalf of the petitioner-UOI after acknowledging the fact that the

written statement was silent on the point of identical relief having been granted to similarly-situated employees pursuant to the above-cited case. We are thus of the considered view that the point in issue being squarely covered on merits, the petitioners cannot be permitted to assail the order agreed to be passed by the Tribunal.

(3) Dismissed.

(Surya Kant)
Judge

21.03.2016
vishal shonkar

(P.B. Bajanthri)
Judge