

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.9393 of 2017.

Date of Decision: May 03, 2017

Union of India and others

.....Petitioners

versus

Central Administrative Tribunal, Chandigarh Bench and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.P.C.Goyal, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

Union of India and its Director General of Ordnance Services have laid challenge to the orders dated 30.01.2014 and 08.09.2016 passed by the Central Administrative Tribunal, Chandigarh Bench. Vide the first order, the claim of respondent No.2 for payment of arrears for the period 2000 to 2009 was accepted as it was conceded on behalf of the petitioners that such a claim was squarely covered by a decision of the Tribunal which had attained finality. Vide the subsequent order, review application filed by the petitioners after a delay of 472 days has been dismissed.

[2] We have heard learned counsel for the petitioners and gone through the records.

[3] It appears to us that respondent No.2 is a similarly placed employee and his claim is not distinguishable from those who are applicants before the Tribunal in OA No.605/PB/2012 titled as Keshav Singh and others versus Union of India and others, which was decided on 07.02.2013 or those who were applicants in Omkar Nath Khushwaha's case. It is true

that the benefit of the order passed in Khushwaha's case was restricted by

the Hon'ble Supreme Court qua the petitioners of that case only but the fact of the matter is that respondent No.2 approached the Tribunal in his own right and has successfully established the parity. That being so, it was rightly stated before the Tribunal that his case was squarely covered by the earlier decision.

[4] No case to interfere with the orders under challenge is made out.

[5] Dismissed.

[SURYA KANT]
JUDGE

May 03, 2017
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[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No