

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.No. 40368 of 2016
and
W.M.P.No. 34437 of 2016

1. The Union of India
represented by the Secretary,
Ministry of Defence,
Department of Defence Production,
South Block, New Delhi - 110 001.
 2. The Chairman,
Ordnance Factory Board,
10-A, SK Bose Road,
Kolkata - 700 001.
 3. The General Manager,
Heavy Vehicles Factory,
Avadi, Chennai - 600 054.
 4. The Secretary,
Ministry of Personnel, Public
Grievances & Pensions,
Department of Personnel & Training,
North Block, New Delhi - 110 001.
- ... Petitioners

Vs

1. HVF Employees Union,
Babuji Circle, HVF Estate,
Avadi Camp, Avadi,
Chennai - 600 054.
Represented by its General Secretary,
J. Muralitharan.
 2. D.Chandramohan
 3. The Central Administrative Tribunal,
Represented by its Registrar,
Madras Bench, Chennai - 600 104.
- ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records of the third respondent pertaining to the impugned order in O.A.No.1190 of 2014 dated 22.06.2016 and quash the same.

For Petitioners : Mr. C.V. Ramachandramurthy
For Respondents : Mr. Menon Karthik Mukundan for R1
Service awaited R2
R3 - Court

O R D E R

(Order of the Court was made by K.K.SASIDHARAN,J.)

The original application filed by the respondents 1 and 2 for a direction to the petitioners herein to implement the decision of the National Anomaly Committee for grant of minimum entry pay of Rs.7510/- and Rs.8560/- for Highly Skilled Grade II and Highly Skilled Grade I respectively, for all the promotees working in the Heavy Vehicles Factory was allowed by the Central Administration Tribunal. The said order is under challenge at the instance of the petitioners.

2. The only question that came up for consideration before the Tribunal was as to whether the members of the first respondent Association were eligible for the pay structure in accordance with the recommendation given by the Sixth Central Pay Commission with effect from 01.01.2006. The Tribunal was of the view that the members of the first respondent Association was also eligible to the benefits earmarked for the direct recruits who have recruited after 01.01.2006. The order is the subject matter of the present Writ Petition.

3. When the Writ Petition is taken up for final disposal, the learned counsel for the petitioners by producing a copy of the communication dated 08.05.2019 issued by the Ordinance Factory Board, Ministry of Defence, submitted that a decision was taken to extend the benefit of entry pay applicable to the direct recruits to the Industrial employees promoted to the Highly Skilled Grade II and Grade I on or after 01.01.2006. The Petitioners seek six months time be required for passing appropriate orders, as it would cover more than three thousand employees.

4. The submission made on behalf of the Petitioners is recorded.

5. We grant time till 31.01.2020 to implement the order passed by the Tribunal in O.A.No.1190 of 2014 taking into account the decision taken by the Ministry of Defence to extend the benefits to the members of the first respondent Association.

6. The Writ Petition is disposed of with the above direction. No costs. The connected Writ Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvsri

To

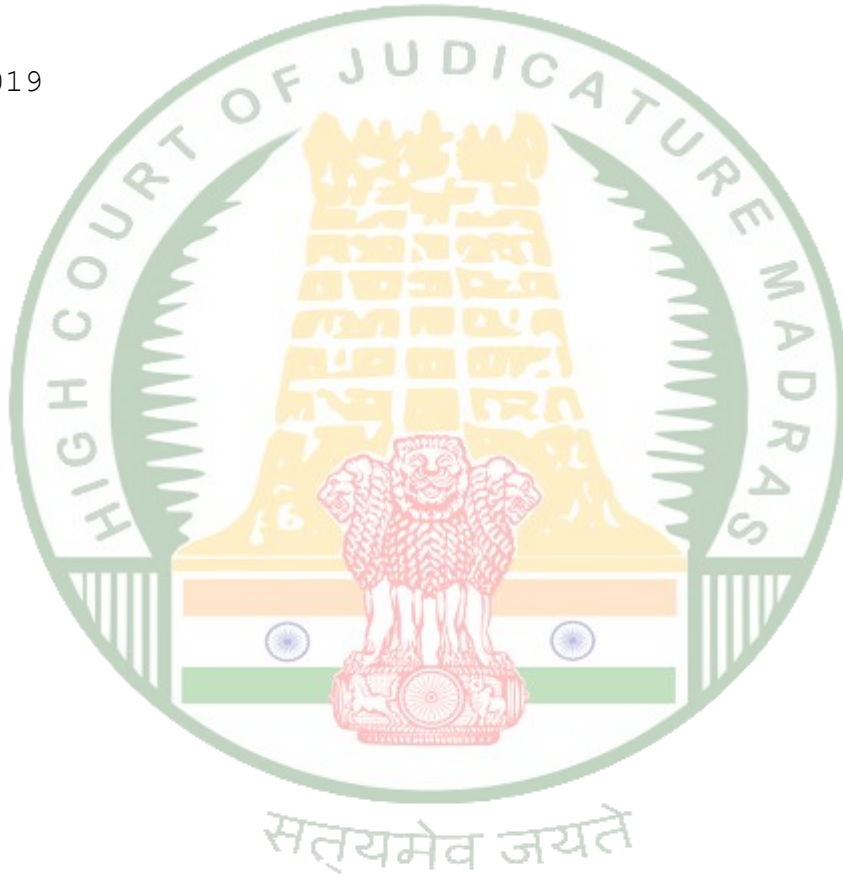
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5. The Registrar,
The Central Administrative Tribunal,
Madras Bench, Chennai - 600 104.

+1 cc to M/s.C.V.Ramachandramurthy Advocate sr67198
+1 cc to M/s.Menon Karthik Mukundan Advocate sr67357

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