



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CWP-27405-2019 (O&M)
Decided on : 27.11.2025**

GARRISON ENGINEER

...Petitioners

Versus

CENTRAL ADMINISTRATIVE TRIBUNAL AND ORS . . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

PRESENT: Mr. Satya Pal Jain, Additional Senior Panel Counsel and
Mr. Rohit Verma, Senior Panel Counsel, Advocate
for the petitioner.

Mr. J. R. Syal, Advocate for respondent No. 2.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 10.10.2018 (Annexure P-1) passed by the respondent No. 1- Central Administration Tribunal, Chandigarh Bench, Chandigarh (herein after referred to as 'the Tribunal'), by which, the directions have been given by the Tribunal to step-up the pay of the respondent No. 2- Avtar Singh to that of his Junior J. P. Singh, who are stated to be granted more salary.

2. Learned counsel for the petitioner argues that certain aspects as to whether, the said benefits could have been given to respondent No. 2- Avtar Singh, has been escaped from the notice of the Tribunal while passing the impugned order dated 10.10.2018 (Annexure P-1).

3. Learned counsel for the petitioner further argues that respondent No. 2- Avtar Singh belongs to the category of MCM (FGM), whereas, J. P.

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Singh belongs to the category of MCM (Electrical) which categories are entirely different and no inter-se seniority lies so as to hold that the respondent No. 2-Avtar Singh was getting lesser salary than his junior.

4. Learned counsel for the petitioner further argues that even while noticing the seniority of J. P .Singh, the same has been noticed that one of Joginder Singh, who is a different employee, hence, the impugned order dated 10.10.2018 (Annexure P-1) passed by the Tribunal is factually incorrect.

5. Learned counsel appearing on behalf of the respondents submits that even if, it is assumed for the sake of arguments that respondent No. 2-Avtar Singh and J. P .Singh are working in the different cadres, the said cadres were merged so as to give seniority to respondent No. 2-Avtar Singh over J. P. Singh.

6. On being asked, as to whether, the said fact has been brought to the notice of the Tribunal, in order to record the findings with this regard, learned counsel for the respondents submits that he had not point out any such fact before the Tribunal.

7. Keeping in view the totality of circumstances that whether the respondent No. 2-Avtar Singh and J. P. Singh were working in the same cadre so as to seek stepping up of pay of respondent No. 2- Avtar Singh in equivalent to J. P .Singh or not, the said findings has to be recorded by the Tribunal based upon the facts brought before the Tribunal but no such fact has been recorded in the impugned order dated 10.10.2018 (Annexure P-1) passed by Tribunal while granting the benefit to respondent No. 2- Avtar Singh.

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8. Further, even if, both the employees namely respondent No. 2- Avtar Singh and J. P. Singh are working in the different cadres whether the both the cadres were merged in order to bring both the employees in the same cadre so as to treat Avtar Singh senior to one J. P. Singh so as to grant the benefit of step-up of pay, needs to be adjudicated keeping in view the argument raised by the learned Counsel for respondent No. 2- Avtar Singh.

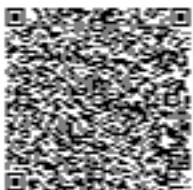
9. Further, It is a conceded position that while passing an order, the seniority one Joginder Pal Singh has been noticed so as to allocate the same to J. P. Singh, which is factually incorrect.

10. Hence, keeping in view the totality of facts and circumstances, the impugned order dated 10.10.2018 (Annexure P-1) passed by the Tribunal is based upon incorrect facts and further, adjudication has not been done on the issues with regard to grant the benefit to respondent No. 2- Avtar Singh. Therefore, **the present writ petition is allowed and the present case is remanded back to the Tribunal for the fresh adjudication.**

11. Let both the parties will remain present before the Tribunal on 24.12.2025.

12. As, the present matter pertains to the year 2018, it is requested that the Tribunal will disposed of the present issue within the period of three months from the date of first hearing fixed before the Tribunal.

13. It may be noticed that while remanding the case back to the Tribunal, this Court is not making any observations with regard to the merit of the present case in favour of the either party which adjudication will be done by the Tribunal on the basis of the facts and evidence available on record.



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14 Pending civil miscellaneous application(s), if any, stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

27.11.2025

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Whether speaking/reasoned: Yes/~~No~~

Whether Reportable: ~~Yes~~/No