**In the Central Administrative Tribunal PRINCIPAL BENCH, New Delhi**

**OA No.       / 2019**

In the matter of:-

1. Ravi Kumar, Scientist ‘B’, Group ‘A’,

Aged About 30 Years,

S/o

R/o Plot No. C-10, New A.G. Colony,

Saguna Mod, Danapur, Patna,

Bihar-801503

2. Abhishek Bansal, Scientist ‘B’, Group ‘A’,

Aged About 26 Years,

S/o

R/o 127, Rahul Vihar Dayalbagh, Agra, U.P.

3. Munish Kumar, Scientist ‘B’, Group ‘A’,

Aged About 28 Years,

S/o Mehar Singh

R/o VPO Sagoor, Tehsil Baijnath, Distt. Kangra,

Himachal Pradesh,

4. Dharmendra Kumar, Scientist ‘B’, Group ‘A’,

Aged About 25 Years,

S/o

R/o 402, Mahendra Market, Dauki Agra, U.P.

5. Abhishek Solanki, Scientist ‘B’, Group ‘A’,

Aged About 26 Years,

S/o Jagdish Kumar Solanki

R/o 20, Shiv Puri, Dhauli Pyau,

Mathura, U.P.

6. Vishnu Prasad Kaushal, Scientist ‘B’, Group ‘A’,

Aged About 28 Years,

S/o

R/o H. No. 323, Bartan Gali, Jugauli-2,

Sonauli, Distt. Maharajganj, U.P-273164

7. Navdeep Kumar, Scientist ‘B’, Group ‘A’,

Aged About 27 Years,

S/o

R/o Type 4/1, IIPR Colony, Kalyanpur,

Kanpur, U.P.

8. Gyan Prakash Singh, Scientist ‘B’, Group ‘A’,

Aged About 27 Years,

S/o Jagdish Singh

R/o New Railway Colony, Behind Manoranjan Kendra,

Anand Nagar, Tundla-283204, U.P.

9. Rakesh Kumar Singh, Scientist ‘B’, Group ‘A’,

Aged About 24 Years,

S/o

R/o Biramapatti, P.O-Bhingari, Distt. Deoria,

U.P-274702

10. Ankit Gupta, Scientist ‘B’, Group ‘A’,

Aged About 29 Years,

S/o

R/o 118/6, Vikas Nagar, Near Gov. College Gohana,

Sonepat, Haryana,

11. Yash Dhingra, Scientist ‘B’, Group ‘A’,

Aged About 28 Years,

S/o

R/o 4/64, Malviya Nagar, New Delhi-110017

12. Arun Kumar Sahni, Scientist ‘B’, Group ‘A’,

Aged About 29 Years,

S/o

R/o At-Bhaliadihi, P.O Madanpur,

Distt. Nayagarh-752090, Odisha,

13. Ramesh Naik Vankdoth, Scientist ‘B’, Group ‘A’,

Aged About 34 Years,

S/o

R/o H. No. 1-11-88, Balaram Thanda, Suryapet,

Telangana-508213

14. Hemant Kumar Garg, Scientist ‘B’, Group ‘A’,

Aged About 28 Years,

S/o

R/o VP-Chhan, Tehsil Khandar,

Sawai Madhopur-322001

15. Aritro Sengupta, Scientist ‘B’, Group ‘A’,

Aged About 29 Years,

S/o

R/o 21A, Raja Bagan Lane, Kolkata-700030

16. Pankaj Kumar, Scientist ‘B’, Group ‘A’,

Aged About 25 Years,

S/o

R/o Geeta Bhawan, Near Gayatri Mandir,

Nazirpur, Muzaffarpur, Bihar-842002

17. Shubham Prajapati, Scientist ‘B’, Group ‘A’,

Aged About 26 Years,

S/o

R/o Type-2/5, New Tehsil Campus,

Moh. Mughlushah, Najibabad, U.P-246763

18. Amit Singh, Scientist ‘B’, Group ‘A’,

Aged About \_\_ Years,

S/o

R/o F-131, Barra 8,

Kanpur Nagar-208027 ...*Applicants*

***Versus***

1. Union of India & Ors.

through its Secretary,

Ministry of Electronics & Information Technology,

Electronics Niketan, CGO Complex

New Delhi

2. The Director General

Standardisation Testing and Quality Certification

(STQC) Directorate

(an Attached Office of the

Ministry of Electronics & IT)

Electronics Niketan, CGO Complex

New Delhi

3. Indian Computer Emergency Response Team,

through its Director General,

Ministry of Electronics & Information Technology,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*...Respondents*

Details of the original application filed under section 19 of administrative tribunal act, 1985.

**1. Particulars of the order / cause against which the original application is filed**

The applicants are aggrieved by the discriminatory and arbitrary act of the respondents in altering the terms & conditions of appointment as stipulated in the advertisement. Once in the Advertisement No. 05/09/2016/NDL/SER, it was stipulated that the selected candidates shall be appointed against the post of Scientist ‘B’ (Group ‘A’), how could the applicants be deprived from Group ‘A’ status after their appointment as Scientist ‘B’ in Indian Computer Emergency Response Team.

The applicants are further aggrieved by arbitrary action of respondents by not disclosing the services terms & conditions in different organizations at the time of submission of form which create the illusion to applicants that service terms and condition of all organization are same and application enjoy the same facility on successfully selection of any organization. Applicants after joining Indian Computer Emergency Response Team Has to work 24\*7 in shift duty which is nowhere mentioned in advertisement without getting any special allowance.

**2. Jurisdiction**

The applicants submit that the subject matter of the cause against which they want redressed is within the jurisdiction of this Hon’ble Tribunal.

**3. Limitation**

The applicants submit that the present Original Application is within the period of limitation prescribed in Section 21 of the AT Act, 1985.

**4. Facts of the Case**

The brief chronological facts of the case are most respectfully showed as under:-

* 1. That the Respondent No. 1 issued an Advertisement No. 05/09/2016/NDL/SER for appointment to the post of Scientist ‘B’ in MeitY, its attached offices and statutory organizations viz Standardisation, Testing & Quality Certification, Directorate & Indian Computer Emergency Response Team (herein after referred as ICERT). Copy of said Advertisement dated September 2016 is annexed as **ANNEXURE A-2**.
  2. That a perusal of said advertisement would show that the status of the aforesaid post of Scientist ‘B’ available in all the aforesaid departments was declared as Group ‘A’ in the pay scale of Rs. 15600-39100 with grade pay of Rs. 5400, Level-10 in Pay Matrix (Revised). As the applicants were meeting the eligibility criteria prescribed in the aforesaid advertisement, therefore, they also applied by following the due procedure.
  3. That as in the said advertisement, the respondents did not make any distinction in the matter of conferment of status, service benefits attached to the post of Scientist ‘B’ on the basis of the organization and stream, therefore, the applicants exercised the preferences as per the organizations.
  4. That the applications of applicants were duly accepted and they all were called to participate in the selection process consisting of written examination as well as interview. After completion of aforesaid selection process, the respondents notified the list of selected candidates. A copy of the said select list notified by the respondents is annexed as **ANNEXURE A-3**.
  5. That a perusal of said select list would show that on the basis of their merit, all the applicants were entitled to get appointment as Scientist ‘B’ in any of the user departments including Ministry itself. However, as the status of the post and service benefits attached to the advertised post of Scientist ‘B’ were same in all the aforesaid user departments who were part of the aforesaid selection process, therefore, the applicants continued with their original preference as shown in the application form itself.
  6. That the applicants were issued offer of appointment during June in which they state that applicant is selected for the Indian Computer Emergency response team, a statutory body of MeitY would governed by Indian computer emergency response rule to be framed and employee working in Indian computer emergency team cannot claim any parity with central government employee. The applicants have no choice other than to accept the said offer of appointment, so applicant has accepted offer of appointment, Subsequent to that ministry has termed the post as Scientist – **B** Group ‘A’ Gazetted again in medical letter (copy attached). After joining, no distinction was made by the respondents in the matter of service benefits amongst the selected candidates on the basis of the department in which they had joined as per their preference. Meaning thereby, the applicants were treated as Group ‘A’ Officer for all purposes like Medical examination etc. However, all of sudden, in the month of November, the respondents changed the status of the post of Scientist ‘B’ in ICERT by denying CGHS facilities as well as other service advantages, perks etc. attached to Group ‘A’ post of Central Govt. and allowed by other organizations / attached offices of MeitY and participatory units in the aforesaid advertisement pursuant to which the applicants have been appointed as Scientist ‘B’.
  7. That as the respondents did not issue any order in writing to deny Group ‘A’ status and attached benefits to the applicants, therefore, applications were made under RTI to get the necessary details. Although, the respondents did not disclose the reasons for denying Group ‘A’ status and attached benefits to the applicants, however it was accepted in order dated 31.01.2018 passed under RTI that the applicants have been appointed as Scientist ‘B’ in ICERT on the basis of SOP (Standard operating procedure) of Ministry itself through which recruitment of mentioned advertisement was carried out for all three organizations. Meaning thereby, the respondents accepted the fact that the applicants as well as all other candidates have been appointed as Scientist ‘B’ on the basis of same SOP and were given posting in different departments as per the availability of vacancies and not to give different status. Copy of said order dated 31.01.2018 is annexed as **ANNEXURE A-4**.
  8. That vide letter dated 25.01.2018 & 12.02.2018, the respondents have again accepted that no service rules of employees of ICERT were available on the date of issuance of Advertisement No. 05/09/ 2016/NDL / SER made basis to appoint the applicants as Scientist ‘B’. Copy of said letters dated 25.01.2018 & 12.02.2018 are annexed as **ANNEXURE A-5 (Colly)**.
  9. That after collecting aforesaid documents, the applicants again submitted detailed representations to the respondents on 30.08.2018 in continuation of their earlier representations submitted from December 2017 to March 2018. Copy of said representations submitted during December 2017 to 30.08.2018 are annexed as **ANNEXURE A-6 (Colly)**.
  10. That a perusal of said representation dated 30.08.2018 would show that the applicants have pointed out all the relevant facts and made out a strong case for granting them Group ‘A’ status as granted to the selectee of same exam by the respondents. However, the respondents have not taken any action on the aforesaid representation till date. While causing aforesaid delay, the respondents failed to consider that when in similar circumstances, the identically placed persons appointed as Scientist ‘B’ on the basis of same SOP of MeitY were continued with the Group ‘A’ status inspite of given appointment in ICERT (Respondent No. 3), how could the applicants be treated as differently. The said similarly placed persons (list attached) have been appointed and continued in ICERT, but the status of Group ‘A’ has never been taken away as done in case of applicants. Therefore, interference of this Hon'ble Tribunal is warranted on the following amongst the other grounds:-

**5. Grounds:-**

1. Because the respondents have acted in violation of Article 14 & 16 of the Constitution of India as they have discriminated the applicants in the matter of grant of status of Group ‘A’ with all other attached facilities including CGHS benefits. When the respondents have granted Group ‘A’ status to not only the similarly placed persons selected alongwith applicants in the same selection process initiated vide Advertisement No. 05/09/2016/NDL/SER, but also to those who were appointed and posted in ICERT like applicants, how could the applicants be treated as differently.
2. Because the respondents have failed to appreciate that the applicants were appointed as per the SOP of Ministry of Information & Technology and Advertisement No. 05/09/2016/NDL/SER, therefore, they could not have been denied Group ‘A’ status by referring such Recruitment Rules which were notified by the respondents after the appointment of applicants and the same is evident from the Notification of new RRs dated 20.11.2017. Copy of said RRs dated 20.11.2017 are annexed as **ANNEXURE A-7**.
3. Because the respondents have failed to appreciate that the applicants were appointed pursuant to Advertisement No. 05/09/2016/NDL/SER and in the said advertisement it has been nowhere mentioned that the applicants on appointment in ICERT would not get Group ‘A’ status. Once in the said advertisement all the posts of Scientist ‘B’ were treated as Group ‘A’, how could subsequently after appointment the status of Group ‘A’ be taken away from the applicants. After joining, the applicants were treated as Group ‘A’ like all other similarly placed persons appointed in different departments/ MeitY as evident from the CGHS reduction made for two months, however after two months, the CGHS facility was taken away without disclosing reasons.
4. Because the respondents have failed to consider that the terms & conditions made part of advertisement cannot be altered and the same are treated as binding for all purposes. The Hon'ble Supreme Court of India has also held so in the case reported in (1) AIR 1963 SC 560, 2005 (2) WLR 697 & 2006 (3) CTC 449. A perusal of all the aforesaid judgments would show that not only Hon'ble High Court of Punjab & Haryana, but Hon'ble Supreme Court of India has also held that the norms of advertisement and the rules are to be strictly and solemnly adhered to and the same is binding on all persons concerned. In the present case, the applicants have only prayed for adhering the norms of Advertisement No. 05/09/2016/NDL/ SER and the RRs made basis to issue said advertisement.
5. Because the respondents have failed to appreciate that the Recruitment Rules being statutory in nature are required to be followed with true letter and spirit and any violation of the same attracts violation of Article 14 & 16 of the Constitution of India. When all the selectee of Advertisement No. 05/09/2016/NDL/SER have been granted Group ‘A’ status for all purposes, how could the applicants herein be deprived from the said status merely on their posting in ICERT. When mere appointment and posting in ICERT as Scientist ‘B’ was not treated as bar to grant Group ‘A’ status to other similarly placed persons already working in ICERT, how could the applicants be denied the said status.
6. Because the respondents have failed to consider that not only in the Advertisement, but also in the letter dated 03.08.2017 (**Annexure A-8**) sent for medical examination of all the applicants, the applicants post of Scientist ‘B’ was treated as Group ‘A’ Gazetted, therefore, the status of the said post could not have been changed only for applicants after joining of ICERT.
7. Because the respondents have failed to appreciate that number of employees selected and appointed in ICERT have been availing all the facilities of Group ‘A’ like other Central Govt. Group ‘A’ Officer appointed as Scientist ‘B’ and other similar posts.
8. Because the applicants have been made to suffer for no fault on their part as not only they have been denied Group ‘A’ status by going contrary to the provisions of advertisement and statutory RRs, but have also been made to work 24 x 7 working hours without any allowances and facilities, whereas in all other user departments, the working hours are fixed. Applicants have chosen ICERT because of Group ‘A’ central Government Status. Some of the applicants were already working in premier organisations having all the facilities like medical and housing etc. So, they would not have left previous organisation if clarity regarding status was mentioned in advertisement.
9. Because the respondents have committed a grave error of law in altering the terms & conditions of appointment to the detriment of applicants in violation of principle of natural justice and by ignoring their own rules and provisions made part of advertisement. If the respondents had disclosed the aforesaid fact of denial of Group ‘A’ status on appointment in ICERT, the applicants would not have opted for same and joined some other organization as per their merit. The applicants merit was much higher and was sufficient to give opportunity to the applicants to join any other organization including Ministry with Group ‘A’ status.
10. Because the respondents cannot be permitted to take advantage of their own wrong committed in not mentioning about the different status to be accorded on appointment as Scientist ‘B’ in ICERT. If the respondents had mentioned the aforesaid fact of non grant of Group ‘A’ status on appointment in ICERT, the applicants would have taken appropriate steps in advance. While dealing with the similar issue, the Hon'ble High Court has held in the case of Rakesh Beniwal as under:- The relevant portion of the said judgment reads as under:-

“The Supreme Court Hon'ble Tribunal Kusheshwar Prasad Vs. State of Bihar & Ors. (2007) 11 SCC 447 held. 13. It is settled principle of law that a man cannot be permitted to take undue and unfair advantage of his own wrong to gain favorable interpretation of law. It is sound principle that he who prevents a thing from being done shall not avail himself of the non performance he has occasioned. To put it differently, a wrong doer ought not to be permitted to make a profit out of his own wrong.”

25. The maxim has been interpreted by the Apex Court Hon'ble Tribunal Mrutunjay Pani & Anr. Vs. Narmada Bala Sasmal & Anr. (1962) 1 SCRUTNY

290 wherein it was held that where an obligation is cast on a party and he commits a breach of such obligation, he cannot be permitted to take advantage of such situation. Further Hon'ble Tribunal Union of India & Ors. V. Major General Madan Lal Yadav (Retd.) (1996) 3 SCRUTNY

785 was observed. Hon'ble Tribunal Broom’s Legal Maxims (10th Edn.) p. 191 wherein it was stated:

“ .....it is a maxim of law, recognized and established, that no man shall take advantage of his own wrong; and this maxim which is based on elementary principles, is fully recognized Hon'ble Tribunal Courts of law and of equity, and, indeed admits of illustration from every branch of legal procedure.”.

1. Because the respondents have failed to appreciate that the RRs notified on 20.11.2017 cannot be applied on the applicants in as much as, the applicants were appointed as Scientist ‘B’ much prior to notification of aforesaid RRs. In case of applicants, the SOP of MeitY were applicable as applied to other similarly placed persons.

**6. Details of the remedies exhausted**

The applicants humbly submit that they have exhausted all the remedies as available to them in the facts and circumstances of the case.

**7. Whether the case filed or pending in any other court on the issue?**

The applicants humbly submit that they have not filed any other similar case on the same issue either before this Hon’ble Tribunal or any other judicial forum including Hon’ble High Court and Supreme Court of India.

**8. Prayer**

In view of the aforesaid facts and circumstances of the case, it is most humbly prayed that this Hon’ble Tribunal may be pleased:

1. To direct the respondents to grant Group ‘A’ General Central Service Status to the applicants at par with other selective of the same Advertisement No. 05/09/ 2016/ NDL/ SER (Annexure A-1) with all consequential benefits.
2. To declare the action of respondents in not treating the applicants as Scientist ‘B’, Group ‘A’ Gazetted as per Advertisement No. 05/09/2016/NDL/SER as illegal and arbitrary and direct the respondents to treat the applicants as Scientist ‘B’, Group ‘A’ Gazetted, General Central Service for all purposes.
3. To allow the OA with cost.
4. To pass any further orders as this Hon’ble Tribunal may deemed fit and proper in the facts and circumstances of the case.

**9. Interim Relief**

Pending final adjudication of the OA, it is humbly prayed that this Hon'ble Tribunal may be pleased to direct the respondents to allow the applicants CGHS facility as well as all other service benefits as granted to other Scientist ‘B’ appointed in MeitY and STQC, Ministry of Electronics & Information Technology.

**10.** The OA is being filed through Counsel.

**11.** Details of the Postal Order :

Date of Postal Order :

Postal Order No. :

Issuing Post Office :

Payable at : New Delhi

**12.** List of Enclosures :

As per Index

**APPLICANTS**

**THROUGH**

**M.K. Bhardwaj,**

**Advocate,**

**Delhi High Court**

**VERIFICATION:**

I, XXX XXXXXX, Aged About \_\_ Years, S/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_, R/o XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, one of the applicant, do hereby solemnly affirm and state on this … January 2019 that contents of above OA are true and correct to the best of my knowledge and belief and nothing is false therein.

**APPLICANT**

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

**PRINCIPAL BENCH; NEW DELHI**

### O.A. No. …../2019

**IN THE MATTER OF:**

XXXX XXXXX & Ors. ...*Applicants*

***Versus***

Union of India & Ors. *...Respondents*

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Through

DATE :

PLACE : NEW DELHI.

**M.K. Bhardwaj**

**ADVOCATE**

**Delhi High Court**

**E-33, Ground Floor, Jangpura Extn.,**

**New Delhi-110014**

**Enrollment No. D-549/1997 (R)**

**9958076980**

**LIST OF DATES & EVENTS**

By way of this OA, the applicants have challenged the discriminatory action of the respondents in treating the selectee of same exam differently in the matter of appointment and grant of service benefits. Once in the Advertisement No. 05/09/2016/NDL/SER itself it was made it very clear that the applications are being invited for appointment to the post of Scientist ‘B’ Group ‘A’ Gazetted, how could some of the candidates on appointment and joining as Scientist ‘B’ be denied Group ‘A’ status. The said action of the respondents is contrary to law laid down by Hon'ble Supreme Court of India in the case reported in (1) AIR 1963 SC 560 and the judgments rendered by Division Bench of Hon'ble Punjab & Haryana High Court and reported in 2005 (2) WLR 697 & 2006 (3) CTC 449. It has been held in the aforesaid judgments that the terms & conditions made part of advertisement are binding in nature and the same cannot be altered at the behest of any of the party.

|  |  |
| --- | --- |
| September 2016 | The Respondent No. 1 issued an Advertisement No. 05/09/2016/NDL/SER for appointment to the post of Scientist ‘B’ in MeitY, its attached offices and statutory organizations viz Standardisation, Testing & Quality Certification, Directorate & Indian Computer Emergency Response Team (herein after referred as ICERT). |
| October 2016 | A perusal of said advertisement would show that the status of the aforesaid post of Scientist ‘B’ available in all the aforesaid departments was declared as Group ‘A’ in the pay scale of Rs. 15600-39100 with grade pay of Rs. 5400, Level-10 in Pay Matrix (Revised). As the applicants were meeting the eligibility criteria prescribed in the aforesaid advertisement, therefore, they also applied by following the due procedure. |
|  | The applications of applicants were duly accepted and they all were called to participate in the selection process consisting of written examination as well as interview. After completion of aforesaid selection process, the respondents notified the list of selected candidates. |
|  | A perusal of said select list would show that on the basis of their merit, all the applicants were entitled to get appointment as Scientist ‘B’ in any of the user departments including Ministry itself. However, as the status of the post and service benefits attached to the advertised post of Scientist ‘B’ were same in all the aforesaid user departments who were part of the aforesaid selection process, therefore, the applicants continued with their original preference as shown in the application form itself. |
| June & September 2017 | The applicants were issued offer of appointment during June & September 2017. The applicants accepted the said offer of appointment and joined as Scientist ‘B’. After joining, no distinction was made by the respondents in the matter of service benefits amongst the selected candidates on the basis of the department in which they had joined as per their preference. Meaning thereby, the applicants were treated as Group ‘A’ Officer for all purposes. However, all of sudden, in the month of November 2017, the respondents changed the status of the post of Scientist ‘B’ in ICERT by denying CGHS facilities as well as other service advantages, perks etc. attached to Group ‘A’ post of Central Govt. and allowed by other organizations / attached offices of MeitY and participatory units in the aforesaid advertisement pursuant to which the applicants have been appointed as Scientist ‘B’. |
| 31.01.2018 | As the respondents did not issue any order in writing to deny Group ‘A’ status and attached benefits to the applicants, therefore, applications were made under RTI to get the necessary details. Although, the respondents did not disclose the reasons for denying Group ‘A’ status and attached benefits to the applicants, however it was accepted in order dated 31.01.2018 passed under RTI that the applicants have been appointed as Scientist ‘B’ in ICERT on the basis of RRs of Ministry itself. Meaning thereby, the respondents accepted the fact that the applicants as well as all other candidates have been appointed as Scientist ‘B’ on the basis of same RRs and were given posting in different departments as per the availability of vacancies and not to give different status. |
| 25.01.2018 & 12.02.2018 | Vide letter dated 25.01.2018 & 12.02.2018, the respondents have again accepted that no service rules of employees of ICERT were available on the date of issuance of Advertisement No. 05/09/ 2016/NDL / SER made basis to appoint the applicants as Scientist ‘B’. |
| 30.08.2018 | After collecting aforesaid documents, the applicants again submitted detailed representations to the respondents on 30.08.2018 in continuation of their earlier representations submitted from December 2017 to March 2018. However, all the aforesaid representations have not been considered by the respondents till date. |
|  | **Hence this OA.** |

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

**PRINCIPAL BENCH; NEW DELHI**

### MA No. /2019

### IN

### O.A. No. …../2019

**IN THE MATTER OF:**

XXXX XXXX & Ors. ...*Applicants*

***Versus***

Union of India & Ors. *...Respondents*

**MA UNDER RULE 4(5) OF CAT PROCEDURE RULES 1987 FOR JOINING TOGETHER**

**MOST RESPECTFULLY SHOWETH**

1. That the applicants have filed the accompanied OA, so the contents of the same may please be treated as part and parcel of present MA for joining together, as the same are not reproduced herein for the sake of brevity and conciseness.
2. That the grievance of the applicants is one and the same, therefore it would be in the interest of the justice if they are permitted to file one OA.

3. That all the applicants are aggrieved by the discriminatory action of the respondents in altering the terms & conditions of appointment as stipulated in the advertisement. Once in the Advertisement No. 05/09/2016/NDL/SER, it was stipulated that the selected candidates shall be appointed against the post of Scientist ‘B’ (Group ‘A’), how could the applicants be deprived from Group ‘A’ status after their appointment as Scientist ‘B’ in Indian Computer Emergency Response Team.

**PRAYER**:

In the premises of the above, it is respectfully prayed that this Hon’ble Tribunal may be allow the applicants to file one OA.

Such other and further order which their Lordships of this Hon’ble Tribunal deem fit and proper may please be passed.

Applicants

**Through :**

DATE :

PLACE : NEW DELHI.

**M.K. Bhardwaj,**

**ADVOCATE**

**Delhi High Court**

**VERIFICATION:-**

I, XXXX XXXXX, Aged About \_\_ Years, S/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_, R/o XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, one of the applicant, do hereby solemnly affirm and state on this … January 2019 that contents of above MA are true and correct to the best of my knowledge and belief and nothing is false therein.

**APPLICANT**

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**

**PRINCIPAL BENCH; NEW DELHI**

**MA No. /2019**

**IN**

**O.A. No. \_\_\_\_\_/2019**

**IN THE MATTER OF:-**

XXXXX XXXXX & Ors. ...*Applicants*

***Versus***

Union of India & Ors. *...Respondents*

**AFFIDAVIT**

I, XXXXXX , Aged About \_\_ Years, S/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_, R/o XXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, do hereby solemnly affirm and state as follows:

1. That I am one of the applicant in the aforesaid MA as such in my above said capacity I am well conversant with the facts and circumstances of the case led to filing present OA and competent to swear this affidavit on behalf of both the applicants.

2. That I have gone through the contents of application of the accompanying application and the facts as stated in the said application are true and correct to my knowledge and no part of it false and submission made therein are believed by me to be true based on legal advice.

**Deponent**

**Verification:-**

Verified at New Delhi on this …… Day of January 2019.

**Deponent**

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**

**PRINCIPAL BENCH; NEW DELHI**

**O.A. No. \_\_\_\_\_/2019**

**IN THE MATTER OF:-**

XXXX XXXX & Ors. ...*Applicants*

***Versus***

Union of India & Ors. *...Respondents*

**AFFIDAVIT**

I, XXXX XXXXX , Aged About \_\_ Years, S/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_, R/oXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX , do hereby solemnly affirm and state as follows:

1. That I am one of the applicant in the aforesaid OA as such in my above said capacity I am well conversant with the facts and circumstances of the case led to filing present OA and competent to swear this affidavit on behalf of both the applicants.

2. That I have gone through the contents of application of the accompanying application and the facts as stated in the said application are true and correct to my knowledge and no part of it false and submission made therein are believed by me to be true based on legal advice.

**Deponent**

**Verification:-**

Verified at New Delhi on this …… Day of January 2019.

**Deponent**