

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI:

OA-2207/96

MA-2116/96

with

OA-368/96

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN  
HON'BLE MR. S.P. BISWAS, MEMBER(A)

New Delhi this the 28th day of November, 1996.

OA-2207/96

1. Sh. Govind Sahai,  
Govt. Clothing Factory(Ordinance)  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
2. Sh. Hari Prakash, Helper(Sahayogi),  
the Government(Ordinance)Clothing  
Factory, Co-Operative Credit Society  
Ltd., Shahjahanpur(UP).
3. Sh. S.M. Hussan, Sr.Clerk(UDC),  
Govt.(Ordinance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
4. Sh. R.P. Shukla, Jr.Clerk(LDC),  
Govt.(Ordinance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
5. Sh. A.K. Trevedi, Jr.Clerk(LDC),  
Govt. (Ordinance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
6. Sh. Abrar Hussain, Sr.Clerk(UDC),  
Govt. (Ordinance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
7. Smt. Rita Kumari, Sr.Clerk(UDC),  
Govt. (Ordinance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
8. Samiuddin, Sr.Clerk(UDC),  
Govt. (Ordinance) Clothing factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
9. Sh. B.P. Singh, Sr. Clerk(UDC),  
Govt. (Ordinance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
10. Sh. Rikh Raj, Senior Clerk(UDC),  
Govt. (Ordinance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).

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11. Sh. T.A. Khan, Sr. Clerk<sup>2</sup>(UDC),  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
  12. Sh. S.D. Bajpai, UDC,  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
  13. Sh. Baboo Ram, Secretary,  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
  14. Sh. Ajeet K. Singh Sen, Assistant,  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
  15. Sh. S.P. Shukla, Sr. Assistant,  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
  16. Sh. S.C. Sharma, Sr. Assistant,  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
  17. Sh. Bhagwan Dass, Manager,  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).
  18. Sh. R.P. Upadhyay, Asstt. Secretary,  
Govt. (Ordnance) Clothing Factory,  
Co-Operative Credit Society Ltd.,  
Shahjahanpur(UP).

.... Applicants

(through Sh. A.K. Bhardwaj, advocate)

versus

1. Union of India  
through the Secretary,  
Ministry of Defence Production,  
Government of India,  
Central Secretariate,  
South Block, New Delhi.
2. The Chairman,  
Ordnance Factories Board,  
Ministry of Defence (Govt. of India),  
Calcutta(WB).
3. The General Manager,  
Ordnance Clothing Factory,  
Shahjahanpur(UP).

.... Respondents

(through Mrs. Meera Chhibber, advocate)

OA-368/96

1. Sh. Jai Pal Singh  
S/o Sh. Baljeet Singh.
2. Sh. Raj Pal Singh  
S/o Sh. Mahabir Singh.
3. Sh. Sant Prakash  
S/o Sh. Parmal Singh.
4. Sh. Mahesh Chand  
S/o Sh. Daulat Ram.
5. Sh. Kishori Lal  
S/o Sh. Laxman Singh.
6. Sh. Jheer Abass,  
S/o Sh. Babu Khan.

(All are the employees of Ordnance Factory Consumer's  
Co-Operative Stores, Muradnagar, Distt. Ghaziabad(UP)  
and r/o Ordnance Factory Estate, Distt. Ghaziabad(UP).

7. Sh. Hukam Chand Sharma  
S/o Sh. Sohan Lal.
8. Sh. Govind Lal Bholi  
Sh. R.L. Bholi.
9. Sh. Ved Prakash Tyagi  
S/o Sh. A.S. Tyagi.
10. Sh. R.K. Tyagi  
S/o Sh. Banwari Lal.
11. Sh. Rakesh Kumar Tyagi  
S/o Sh. M.R. Nagar.
12. Sh. Kanak Singh Tyagi  
S/o Sh. B.S. Tyagi.
13. Sh. Hari Om Sharma  
S/o Sh. Saktoo Singh.
14. Sh. Shyam Sunder Sharma,  
S/o Sh. K.N. Sharma.
15. Sh. Vinod Kumar Wasan,  
S/o Sh. Roshan Lal.
16. Sh. Ram Lakhan,  
S/o Sh. Bhikoo Prashad.
17. Sh. Briz Kishore,  
S/o Sh. Lala Ram.
18. Sh. Sukhbir Singh,  
S/o Sh. Bhulley Singh,
19. Sh. Jai Prakash Sharma,  
S/o Sh. Sohan Lal.

.... Applicants

(All are the employees of O.F. Salaries Earner's  
Co-Operative Credit Society, Muradnagar, Distt.  
Ghaziabad(UP) and r/o Ordnance Factory Estate,  
Muradnagar, Distt. Ghaziabad(UP).  
(through Shri V.P. Sharma, advocate).

versus

1. Union of India through  
the Secretary,  
Ministry of Defence,  
Sena Bhawan,  
New Delhi.
2. The Director General,  
Ordnance Factory Board,  
10-A Auckland Road,  
Calcutta.
3. The General Manager,  
Ordnance Factory,  
Muradnagar,  
Distt. Ghaziabad(UP) ..... Respondents

(through Shri V.S.R. Krishna, advocate)

The applications having been heard on 28.11.1996 the  
Tribunal on the same day delivered the following:

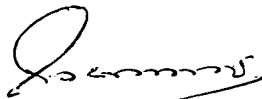
ORDER

Chettur Sankaran Nair(J), Chairman

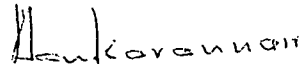
Applicants before us who are employees of a  
Society registered under the Co-Operative Societies Act  
seek a declaration that they are employees of the Union  
of India/its Departments and claim certain benefits on  
that basis. Learned Standing Counsel for Union of India  
in all fairness stated that the Government would  
consider the grievances of applicants and extend to them  
ashuman treatment as law permits. We record the  
submission. Applicants may make suitable  
representations before the Government and in terms of  
the undertaking, the Government will consider the same,  
pass a speaking order thereon within four months from  
the date of receipt of the representations and  
communicate the same to applicants. We are not  
expressing any opinion on merits or on the question of  
jurisdiction. We also record appreciation of the help  
rendered by Mrs. Meera Chhibber as amicus curiae who  
argued her case ably.

With the aforesaid directions, we dispose of both the applications. No costs.

Dated, the 28th November, 1996.



(S.P. Biswas)  
Member(A)



(Chettur Sankaran Nair(J))  
Chairman

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