

(10)

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

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11. Sh. T.A. Khan, Sr. Clerk(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 Bhola
Sh. R.L. Bhola.
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 Lakhman,
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 a humane 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)

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(Chettur Sankaran Nair(J))
Chairman

Chettur Sankaran Nair (J)
Chairman
Court of
Central Administrative Tribunal
Principal Bench
Faridkot House, New Delhi
28/11/96

PRITAM SINGH
Court Officer
Central Administrative Tribunal
Principal Bench
Faridkot House, New Delhi