

Through Video Conferencing**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**
JABALPUR**Original Application No.200/382/2020**

Jabalpur, this Friday, the 31st day of July, 2020

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



1. Vijendra Chauhan, S/o Shri Shyam Sunder Chauhan, aged about 29 years, Occupation : Fitter Pipe, Section – CE, T.No. – 57, Personal No. 69200, Ordnance Factory Khamariya, Jabalpur, R/o – 60/8, QTR, Type-I, East Land Khamariya, Jabalpur (M.P) 482005.

2. Sanjib Kumar Mandal, S/o Shri Kshudiram Mandal, aged about 31 years, Occupation : Fitter Refrigeration, Section – SU, T.No.74, Personal No. 69081, Ordnance Factory Khamariya, Jabalpur, R/o – Ksheer Sagar Duplex, Champa Nagar, Manegaon, Jabalpur (M.P) 482005.

3. Vijai Nath, S/o Shri Shitala Prasad, aged about 30 years, Occupation : Fitter Refrigeration, Section – SU, T.No. – 78, Personal No. 69113, Ordnance Factory Khamariya, Jabalpur, R/o – 25/7, Type-II, QTR, East land Khamariya, Jabalpur, (M.P) 482005.

4. Jayanto Rakshit, S/o Shri Jagannath Rakshit, aged about 31 years, Occupation : Fitter Refrigeration, Section – SU, T.No.-67, Personal No.69193, Ordnance Factory Khamariya, Jabalpur, R/o-52/4, Type-I, QTR, East Land Khamariya, Jabalpur (M.P) 482005

-Applicants

(By Advocate – Shri Swapnil Ganguly along with Shri K.V.S. Sunil Rao)

V e r s u s

1. Union of India through its Secretary, Ministry of Defence, Department of Defence Production, South Block, New Delhi 110001.

2. Chairman/Director General Ordnance Factory Board, 10-A, Shahid Khudi Ram Bose Marg, Kolkata 700001.

3. The General Manager, Ordnance Factory Khamariya, Jabalpur (M.P) 482005.

4. Section Head, Labour Bureau, Ordnance Factory Khamariya, Jabalpur (M.P) 482005

-Respondents

(By Advocate – Shri Surendra Pratap Singh)

ORDER
By Ramesh Singh Thakur, JM.

Heard.

2. Through this Original Application, the applicants are challenging the seniority list (Annexure A-1) and order dated 10.06.2019 (Annexure A-2) whereby the representation of the applicants has been rejected by the authority, which is not competent to do so. They are further seeking direction to the respondents to place the applicants in the seniority list as per the merit list prepared by the respondents in the recruitment process.

3. Learned counsel for the applicants submits that the respondents have issued tradewise/gradewise seniority list of skilled grade as on 01.01.2019 (Annexure A-1), which has been prepared on the basis of date of joining and not on the basis of merit list prepared by the respondents after the selection list. The applicants have represented the matter on 10.04.2019.



However, their representations have been rejected on 10.06.2019 (Annexure A-2 collectively) by an incompetent authority. He further submits that the applicants have again made a representation on 15.07.2020 (Annexure A-10), which has not been decided till date.

4. Learned counsel for the applicant submitted that on the similar issue in Original Application No.200/1156/2019 (**Neelesh Kumar Jain & Others vs. Union of India & Others**), this Tribunal has disposed of the Original Application vide order dated 13.01.2020 (Annexure A-8) with a direction to the competent authority of the respondents to decide the representation of the applicants therein in a time frame. Subsequently, those employees have been granted promotion to HS-II Grade on 09.06.2020 (Annexure A-9). He submits that the applicants are similarly situated to that of applicants in Original Application No.200/1156/2019 and he prays for similar direction.

5. We have considered the matter and without expressing any opinion on the merits of the case, we direct the competent authority of the respondents to consider and decide the representation of the applicants dated 15.07.2020 (Annexure A-10), if not already decided, within a period of 60 days from the date of receipt of a copy of this order by passing a reasoned and



speaking order by meeting all the contention raised in the representation (Annexure A-10).

6. With these observations, this Original Application is disposed of at the admission stage itself. No costs.



(Naini Jayaseelan)
Administrative Member
am/-

(Ramesh Singh Thakur)
Judicial Member