

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 7th day of January 2003.

QUORUM : HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.
HON. MAJ. GEN. K.K. SRIVASTAVA, A.M.

O. A. No.152 of 1996

1. J.N. Singh S/O Late Sri Bhagwati Singh.
2. J.K. Sahu S/O Late Shri Munna Lal.
3. R.N. Shama S/O Late Shri L.N. Shama.
4. Virendra Singh S/O Late Shri Ganesh Prasad.
5. Samiullah S/O Late Sri Habibullah.
6. G.S. Dixit S/O Late Sri Rama Charan Dixit.
7. R.N. Kakkar S/O Shri Pishori Lal Kakkar.
8. O.N. Monga S/O Shri K.L. Monga.
9. B.L. Maurya S/O Late Sri Mahadeo Prasad.
10. M.L. Mishra S/O Sri S.D. Mishra.
11. R.P. Pathak S/O Late Sri B.L. Pathak.
12. Babu Khan S/O Sri Guljar Khan.
13. V.K. Srivastava S/O Sri M.B. Srivastava.
14. H.G. Ghosh S/O Late Sri Panchu Gopal Ghosh.
15. V.V. Singh S/O Late Sri R.P. Singh.
16. S. Majumdar S/O Late Sri K.K. Majumdar.
17. N.B. Singh S/O Sri R.D. Singh.
18. Rajesh Kumar S/O Sri Ram Ratan.
19. A.K. Bajpai S/O Sri M.D. Bajpai.
20. H.K. Nigam S/O Sri S.P. Nigam.

All C/O General Manager, Field Gun Factory, Kanpur Nagar,
Kanpur.....

..... Petitioners.


Counsel for petitioners : Sri R.K. Shukla.

Versus

1. The Union of India through Secretary, Ministry of Defence,
New Delhi.
2. The Secretary, Ordnance Factories Board, Calcutta-01.
3. The General Manager, Field Gun Factory, Kanpur Nagar, Kanpur
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..... Respondents.

Counsel for respondents : Sri A. Mohiley.



O R D E R (ORAL)


BY HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

In this O.A., the applicants are serving in Field Gun Factory, Kanpur in various trades. By this O.A. Under Section 19 of A.T. Act, 1985, the applicants have challenged the Seniority List dated 2.1.1996 and have claimed that their name should be placed in the seniority list at correct place treating them senior from the juniors promoted on 10.5.1993 vide Factory order Part II No.860 dated 10.5.93. They have also prayed that the applicants may be promoted from the post of Chargeman Grade-II to Chargeman Grade-I. They have further prayed for a direction to respondents to give seniority to the petitioners in the scale of Rs.1400-2300 of equivalent post since 1.1.1986 by way of appointment by transfer on 10.5.1993 by way of re-designation of posts of Planner, Estimator, Rate Fixer and Supervisor Technical as Chargeman Grade-II.

2. The respondents have filed application MA No.4252/02 annexing therewith the judgment dated 5.2.02 delivered by a Full Bench of Jabalpur of this Tribunal deciding the controversy. ^{for consideration} The question before the Full Bench was as under :-

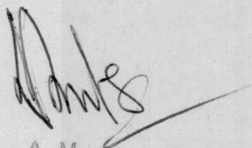
"Whether Supervisor 'B' (Tech), who were granted pay scale of Rs.1400-2300 by the Government based on the recommendations of 4th Central Pay Commission w.e.f. 1.1.1986 would be entitled for redesignation as C/M-II Technical who were also placed in the same pay scale i.e. Rs.1400-2300 w.e.f. 1.1.1986."

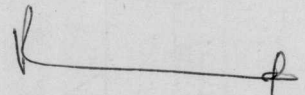
3. This question has been decided in negative and the Full Bench has held that the Supervisor 'B' (Tech), who were granted pay scale of Rs.1400-2300 by the Government based on 4th Central Pay Commission w.e.f. 1.1.86 cannot be entitled for redesignation as Chargeman Grade-II who were also placed in the same pay scale of Rs.1400-2300 w.e.f. 1.1.86. As the Full Bench has already given a view, in our opinion nothing



remains to be decided by this Tribunal at this stage. The consequence of the Full Bench judgment is that the respondents will have to recast the seniority list in the light of the view expressed by the Full Bench. As the seniority list has to be recast, it would be open to the applicant to place their grievances which will be considered and decided in accordance with law. Subject to aforesaid ^{observation} ~~decision~~, this O.A. is disposed of finally.

There shall be no order as to costs.


A.M.


V. C.

Asthana/