

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD  
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Original Application No. 516 of 1997

Dated : This the 08th day of October, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.  
HON'BLE MR. D.R. TIWARI, MEMBER- ( A )

Madan Gopal Sharma P.No. 6956891,  
aged about 56 years S/o late Shri  
K.L. Sharma R/o 18/4, Rana Pratap  
Colony, Near Sardar Police Station,  
Agra.

----Applicant.

( By Advocate : Shri Rakesh Verma )

|| V E R S U S ||

- 1- Union of India through Secretary, Ministry of Defence, New Delhi.
- 2- The Director General Of Ordnance Services ( OS-8C ), Master General of Ordnance Branch, Army Headquarters, D.H.Q. Post Office, New Delhi - 110 011.
- 3- Officer-in-Charge, AOC ( Records ), Post Box No.3, Trimulgherry Post, Secunderabad - 500 015.
- 4- The Commandant, Central Ordnance Depot, Agra.

-----Respondents.

( By Advocate : Shri A. Mohiley )

O R D E R ( O R A L )

By Hon. Mr. Justice R.R.K. Trivedi, V.C.

We have heard Shri R.Verma, learned counsel for the applicant and Shri P. Mathur, holding brief of Shri A.Mohiley, learned counsel for the respondents.

- 2- By this O.A., under section 19 of Administrative Tribunals Act 1985, applicant has prayed for a direction

to refix the seniority of the applicant as Senior Store Keeper from the date of initial appointment as Civilian School Master in the same pay scale i.e. with effect from 17-02-1964. This question has already been considered by the Hon'ble Supreme Court in S.L.P.No.6276/95. The Hon'ble Supreme Court while disposing of the S.L.P. by order dated 02-11-1995 passed the following order :

" In view of the above position and the fact that the question raised by the petitioner for adjudication on merit would require production of additional evidence by the parties, it is not appropriate that the same be gone into in the first instance in these proceedings in the S.L.P. after impleading the petitioners as parties in this list, when the respondents did not choose to implead them in the OA filed by them in the Tribunal. The matter is left for adjudication on merit in the manner indicated above."

In pursuance of the aforesaid observation OA No. 2317/95 was filed before Principal Bench of this Tribunal. The Principal Bench passed the order on 08-07-1996 and declared that the civilian school master who were redeployed as Store Keepers are not entitled to count their past services as CSMS for seniority in the grade of senior Store Keeper. This matter has been decided finally. The order of the Principal Bench has been upheld by Hon'ble Supreme Court as the S.L.P.<sup>55</sup> filed against the order were dismissed on 03-09-1996 and 19-05-1997.

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3- In the circumstances, the applicant is not found entitled for relief. The O.A. is accordingly dismissed with no order as to costs.

*Dewar*  
Member ( A )

*L*  
Vice - Chairman

Brijesh/-