Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 332 of 2001
alongwith connected matters

Allahabad this the 20th day of November 2001

Hon'ble Mr.Justice R.R.K. Trivedi, Vice Chairman
Hon'ble Maj Gen K.K. Srivastava, Member (A)

Original Application No.332/01

1. Sunil Kumar Sharma, aged about 41 years, Ticket No.148-CA, Son of Sri S.K. Sharma, resident of MIG-Panki, Kanpur.

2. Santosh Kumar Mishra, aged about 36 years, Ticket No.7-NTR, Son Sri Luxmi Kant Mishra, resident of 116/93, Rawatpur, Kanpur.

3. Izhar Ahmad, aged about 40 years, Ticket No. 168-MM, Son of Shri Hazir Rahim Bakhsh, resident of 123/496, Fazalganj, Kanpur.

4. Arun Kumar Srivastava, aged about 28 years, Ticket No.135-CA, Son of Late Sri Kamlakar Lal, resident of 12/8, Vijay Nagar, Kanpur.

5. Ram Narain Sharma, aged about 38 years, Ticket No.144-CA, Son of Sri R.D. Sharma, resident of 110/3, Vijay Nagar, Kanpur.

6. Jalendra Ram, aged about 36 years, Ticket No. 197-CA, Son of Sri Purvagi Ram, resident of 132/678, Munshipurwa, Kanpur.

7. Som Nath Sharma, aged about 28 years, Ticket No.174-CA, Son of Sri R.J. Sharma, resident of 1337, Ratan Lal Nagar, Kanpur.

8. Iteantezar Ali, aged about 26 years, Ticket No. 155-CA, Son of Late Sri Hakim Ali, resident of 418/B-Block, Panki, Kanpur.

9. Santosh Kumar Yadav, aged about 37 years, Ticket No.88 RS, Son of Sri M.L. Yadav, resident of 586 B-Block, Panki, Kanpur.

10. Mahendra Yadav, aged about 37 years, Ticket No. 87-RS, Son of Sri Ram Dulare Yadav, resident of

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11. Yogesh Kumar aged about 35 years, Ticket No. 50-RS, son of Sri Sri Krishna, resident of C II/278, Armapur , Kanpur.

12. Virendra Kumar Tiwari, aged about 32 years, Ticket No.124-CA, Son of Sri Gauri Shankar Tiwari, resident of G1/284, Armapur Estate, Kanpur.

13. Naval Kishore aged about 36 years, Ticket No. 42-RS, Son of Sri Brij Bihari Ram, resident of 142/4, Jahilal Colony, Kanpur.

14. Devi Prasad, aged about 44 years, Ticekt No. 10-GA, Son of Sri J.H. H.No.81, Anandnagar, Rawatpur, Kanpur.

Applicants

By Advocate Shri Vikram Nath

Versus

1. Union of India through Secretary, Ministry of Defence, New Delhi.
2. The Chairman, Ordnance Factory Board, Calcutta.
3. The General Manager, Small Arms Factory,Kanpur.
4. The Works Manager (Administration), Small Arms Factory, Kanpur.
5. Ram Prakash Tripathi, Token No.144/RS
6. Binod Kumar Kushwaha, Token No.39/MMG.
7. Krishna Kumar Sharma, Token No.126/RS.
8. Tanvir Mohammad, Token No.23/MAG.
9. Raj Kumar Srivastava, Token No.6/MAG
10. Pramod Kumar, Token No.28/MAG.
11. Amar Nigam, Token No.362/B.
12. Sanjai Kumar Srivastava, Token No.138/CA
13. Ram Kripal Shukla, Token No.86/RS.
14. Pradhumann Singh Yadav, Token No.216/LC.
15. Sugreive, Token No.16/B.
16. Surya Kant, Token No.77/SC.
17. Brij Bhan Yadav, Token No.21/MAJ.
18. Gajendra Nath Singh, Token No.129/RS.

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19. Shyam Kishore Bajpai, Token No.106/MAG.

20. Satybrat Gupta, Token No. 72/CA.

21. Hemraj Token No.41/LC.

22. Prem Babu Saini, Token No.300/B.

23. Krishna Kumar Tiwari, Token No.86/MAG .

24. Krishna Murari Sharma, Token No.16/J.

respondents no.5 to 24 are Fitter Skilled working in the Small Arms Factory, Kanpur notices may be sent to them through the General Manager, Small Arms Factory, Kanpur.

By Advocates Shri Amit Sthalekar,
Shri P. Krishna

O.A.No.318 of 2001

1. Daya Shankar Singh, aged about 37 years, Son Sri K.P. Singh, resident of G-I/162, Armapore Estate, Kanpur Nagar.

2. Aftab Hussain, aged about 36 years, Son of Late Sri B Habib Hussain, resident of G-I/359,Armapore Estate, Kanpur Nagar.

By AdvocateShri V. Nath

Applicants

Versus

1. Union of India through Secretary, Ministry of Defience, New Delhi.

2. The Chairman, Ordnance Factory Board, Calcutta.

3. The General Manager, Small Arms Factory, Kanpur.

4. The Works Manager(Administration), Small Arms Factory, Kanpur.

5. Dharmendra Kumar Sinha, Token No.44/MMG.

6. Subodh Pandey, Token No.8/MMG.

7. Pradeep Tripathi, Token No.43/MMG.

8. Rakesh Singh, Token No.36/T.R.

9. Rakesh Dubey, Token No.11/R.S.

10. Praveen Pandey, Token No.365/B.

respondents no.5 to 10 are Grinder Skilled working in the Small Arms Factory, Kanpur,

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O.A.No. 329 of 2001

1. Shailendra Kumar aged about 31 years, Ticket No.110-RS, Son of Sri Chhedi Lal, resident of F-325, Gujaini, Kanpur.

2. P.N. Pal, aged about 31 years, Ticket No.151-CA. Son of Ram Bharose Pal, resident of village and Post Office Tikra, Kanpur.

3. Surendra Kumar aged about 31 years, Ticekt No. 153-CA, Son of R.Kumar, resident of H.No.416 Gujaini Kanpur.

4. Sarwan Kumar, aged about 40 years, Ticket No. 99-RS, Son of Manna Lal, NT II/202, Armapur, Kanpur.

5. Ramesh aged about 37 years, Ticekt No.165-CA, Son of Late Sri Sant Lal, resident of H.No.107/225, Nehru Nagar, Kanpur.

6. Nahar Singh, aged about 35 years, Ticket No.67-RS, Son of Sri R. Singh, resident of 168/35A, 80 FEet Road, Barra-6, Kanpur.

7. Gyaneshwar Singh, aged about37 years, Ticekt No.20-CNC, Son of Late Sri V.P. Singh, resident of 116/606-D, Rawatpur, Kanpur.

8. Hare Ram Singh, aged aboudt 37 years, Ticket no. 159-CA, Son Sri R.N. Singh, resident of 213/10, Vijay Nagar, Kanpur.

9. J.S. Tomar, aged about 37 years, Ticket No.146-RS, Son of Onkar Singh Tomar, resident of Tomar Traders New Shivli Road, Kalyanpur Khurd,Kanpur.

10. Krishna Kant Dixit, aged about 38 years, Ticekt ket No.151-CA, Son of Sri L.K. Dixit, resident of 105/483, Srinagar, Kanpur.

11. Sunil Kumar Pandey, aged about 28 years, Ticket No.141-CA, Son of Sri R.M. Pandey, resident of 164/9, Vijay Nagar, Kanpur.

12. Rajendra Kumar Kushwaha, aged about 37 years, Ticket No.127-CA, Son of S.K. Kushwaha, resident of 115/158, Rawatpur, Kanpur.

13. Swami Nath Yadav, aged about 36 years, Ticket No. 54-CNC, son of Nayan Yadav, resident of EWS 3256 Avas Vikas, Kanpur.

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14. Arvind Kumar Tiwari, aged about 36 years, Ticket No.78-RS, Son of Sri Suraj Prasad Tiwari, resident of MIG-121, Kaman Ganga Grade, Kanpur.

15. Mishri Prasad, aged about 367 years, Ticket No.98-RS, Son of Jaglal Yadav, resident of 636, EWS, Avas Vikas Yojna No.3, Kanpur.

16. Arun Kumar Dixit, aged about 36 years, Ticket No.93-B, Son of Sri J.N. Dixit, resident of 14/5, Civil Lines, Kanpur.

17. V.K. Jha, aged about 28 years, Ticket No.51-CA, son of Sri H.C. Jha, resident of G-1/206 Armapore, Kanpur.

18. G.D. Upadhyaya, aged about 27 years, Ticket No.68-RS, Son of Sri G.N. Upadhyaya, resident of D-534, EWS, Barra-7, Kanpur.

19. Suresh Chandra Khatri, aged about 29 years, Ticket No.20-RS, son of Sri Ratan Chand, resident of 164 EWS, Avas Vikas Scheme-3, Kanpur.

Applicants

By Advocate Shri Vikram Nath

Versus

1. Union of India through Secretary, Ministry of Defence, New Delhi.

2. The Chairman, Ordnance Factory Board, Calcutta.

3. The General Manager, Small Arms Factory, Kanpur.

4. The Works Manager(Administration), Small Arms Factory, Kanpur.

5. Ashok Kumar, Token No.77/RS.

6. Brijesh Kumar Srivastava, Token No.21/SC.

7. Tribhuwan Nath Srivastava, Token No.23/SC.

8. Mohammad Tariq Siddiqui, Token No.27/SC.

9. Sunil Kumar Srivastava, Token No.113/SC.

10. Baboo Ram Kushwaha, Token No.4/LC.

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11. Ambika Prasad Mishra, Token No.368/B
12. Mahboob Alam Ansari, Token No.154/CA.
13. Raj Kumar, Token No. 116/RS.
14. Anwar Hussain Ansari, Token No.154/CA
15. Krishna Gopal, Token No.208/B.
16. Sheikh Alauddin, Token No.326/B.
17. Pawan Kumar Srivastava, Token No.200/LC.
18. Rishi Kant Agnihotri Token No.367/B.
19. Rangnath Tewari, Token No.23/MAJ.
20. Vijai Prakash Tewari, Token No.177/RS.
21. Pankaj Seth Token No.97/RS.
22. Suresh Kumar Mishra, Token no.28/MAJ.
23. Amod Kumar, Token No.76/B.
24. Sunil Kumar Pandey, Token No.141/CA.
25. Siddhartha Kumar Moitra, Token No.311/B.
26. Sarvesh Narain Shukla, Token No. 76/RS.
27. Ashok Kumar Gautam, Token No.66/RS.
28. Kesho Ram Lal, Token No.197/LC.
29. Kamal Kant Chaudhary, Token No.11/CNC.
30. Sanjai Kumar Mukherjee, Token No.82/TR.
31. Vimal Kumar Verma, Token No.67/LC.
32. Ashok Kumar Singh, Token No.368/LC
33. D. Dey, Token No.33/TR.
34. A.K. Gupta, Token No.55/RS.

respondents no.5 to 34 are Machinist Engineering Skilled working in the Semall Arms Factory, Kanpur, notices may be sent to them through the General Manager, Small Arms Factory, Kanpur.

By Advocate Shri A. Sthalekar

O.A.NO. 330 of 2001

1. Mithilesh Kumar Sharma, aged about 35 years, Ticket No.136-MM, son Sri S.K. Sharma, resident of 996/B, Block Panki, Kanpur.

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O.A.No. 330 of 2001

1. Mithilesh Kumar Sharma, aged about 35 years, Ticket No.136-MM, son Sri S.K. Sharma, resident of 996/B, Block Panki, Kanpur.

2. Rajendra Narain Shukla, T.No.9/MM, aged about 30 years, son of Sri R.N. Shukla, resident of 118/8, Vijay Nagar, Kanpur.

Applicants

By Advocate Shri Vikram Nath

Versus

1. Union of India through Secretary, Ministry of Defence, New Delhi.

2. The Chairman, Ordnance Factory Board, Calcutta.

3. The General Manager, Small Arms Factory, Kanpur.

4. The Works Manager(Administration), Small Arms Factory, Kanpur.

5. Ramesh Chandra, Token No.73/MM.

6. Shiv Shankar Singh, Token No.33/MM.

7. Ashok Kumar Mishra, Token No.11/MM.
respondents no.5 to 7 are Mill Wright Skilled working in the Small Arms Factory, Kanpur, notices may be sent to them through the General Manager, Small Arms Factory, Kanpur.

Respondents

By Advocate Shri Amith Sthalekar

O.A.No.331 of 2001

1. Arvind Kumar Singh, aged about 37 years, Ticket No.1-CNC, Son of Sri Hardeo Singh, resident of LIC, 1384, Avas Vikas-3, Panki, Kalyanpur Road, Kanpur.

2. K.K. Srivastava, aged about 38 years, Ticket No.26-RS, Son Late Sri R.B. Srivastava, resident of 298 Rail Bazar, Kanpur.

3. A.K. Pal, aged about 36 years, Ticket No.17-CP, Son of Sri Subedar Pal, resident of Laledkapurwa, Panki, Kanpur.

By Advocate Shri V. Nath

....pg.8/-

1. Union of India, through Secretary, Ministry of Defence, New Delhi.

2. The Chairman, Ordnance Factory Board, Calcutta.

3. The General Manager, Small Arms Factory, Kanpur.

4. The Works Manager (Administration), Small Arms Factory, Kanpur.

5. Imtiaz Ahmad Ansari, Token No.45/SC.

6. Chanchal Mukherjee, Token No.371/B.

7. Arun Kumar Rai, Token No.62/MAG.

respondents no.5 to 7 are Turner Skilled working in the Small Arms Factory, Kanpur, notices may be sent to them through the General Manager, Small Arms Factory, Kanpur.

Respondents

By Advocate Shri Amit Sthalekar

O.A.No. 728 of 2001

1. M.P. Kureel aged about 43 years, Ticket No. 122/SC, Son of Late Sri Puse Prasad, resident of village Harabangar, P.O. Mandhana, District Kanpur Nagar.

2. Chandra Shekhar, aged about 42 years, Ticket No.79/RS, Son of Late Sri Budh Sen, resident of village 369/6, Shastri Nagar, Kanpur Nagar, 208005.

3. Ashok Kumar, aged about 41 years, Ticket No. 215/B, Son of Late Sri Sundar Lal, resident of 115/229, Maswanpur, P.O. Rawatpur, Kanpur Nagar.

Applicants

By Advocate Shri Vikram Nath

Versus

1. Union of India through Secretary, Ministry of Defence, New Delhi.

2. The Chairman , Ordnance Factory Board, Calcutta.

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3. The General Manager, Small Arms Factory,Kanpur.
4. The Works Manager(Administration), Small Arms Factory, Kanpur.
5. Ramesh Kumar Srivastava, Token No.123/RS.
6. Vinod Kumar Srivastava, Token No.361B/SC.
7. Ashok Kumar Rai Token No.1/MMG.
8. Anand Prakash, Token No.13/NTR.
9. Rajesh Kumar Token No.114/SC.
10. Uma Shankar Pal, Token No.38/MMG.
11. Brijesh Kumar Srivastava, Token No.21/SC.
12. Tribhuwan Nath Srivastava, Token No.23/SC.
13. Praveen Kumar, Token No.343/B.
14. Mohd Tariq Siddiqui, Token No.27/SC.
15. Amitabh Guha, Token No.15/CNC.
16. Sushil Kumar Handa, Token No.43/CNC.
17. Kapil Das Dwivedi, Token No.3/QCCA.
18. Sunil Kumar Srivastava, Token No.113/SC.
19. Mahendra Singh, Token No.63/CNC.
20. Virendra Kumar Pal Token No.14/CNC.
21. Subrato Biswas, Token No.140/RS.
22. Krishna Kant Dixit, Token No.156/CA.
23. Jitendra Singh Tomar, Token No.146/RS.
24. Baboo Ram Kushwaha, Token No.62/CNC.
25. Ambika Prasad Mishra, Token No.368/B.
26. Ram Pratap Shahu Token No.372/B.
27. Gyaneshwar Prasad Singh, Token No.20/CNC.
28. Brajendra Babu Srivastava, Token No.142/RS.
29. Mahboob Alam Ansari, Token No. 154/CA.
30. Raj Kumar(SC), Token No.116/RS.
31. Anwar Hussain Ansari, Token No.132/CA.
32. Vishwa Jeet Sharma, Token No.162/CA.

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3. The General Manager, Small Arms Factory,Kanpur.
4. The Works Manager(Administration), Small Arms Factory, Kanpur.
5. Ramesh Kumar Srivastava, Token No.123/RS.
6. Vinod Kumar Srivastava, Token No.361B/SC.
7. Ashok Kumar Rai Token No.1/MMG.
8. Anand Prakash, Token No.13/NTR.
9. Rajesh Kumar Token No.114/SC.
10. Uma Shankar Pal, Token No.38/MMG.
11. Brijesh Kumar Srivastava, Token No.21/SC.
12. Tribhuwan Nath Srivastava, Token No.23/SC.
13. Praveen Kumar, Token No.343/B.
14. Mohd Tariq Siddiqui, Token No.27/SC.
15. Amitabh Guha, Token No.15/CNC.
16. Sushil Kumar Handa, Token No.43/CNC.
17. Kapil Das Dwivedi, Token No.3/QCCA.
18. Sunil Kumar Srivastava, Token No.113/SC.
19. Mahendra Singh, Token No.63/CNC.
20. Virendra Kumar Pal Token No.14/CNC.
21. Subrato Biswas, Token No.140/RS.
22. Krishna Kant Dixit, Token No.156/CA.
23. Jitendra Singh Tomar, Token No.146/RS.
24. Baboo Ram Kushwaha, Token No.62/CNC.
25. Ambika Prasad Mishra, Token No.368/B.
26. Ram Pratap Shahu Token No.372/B.
27. Gyaneshwar Prasad Singh, Token No.29/CNC.
28. Brajendra Babu Srivastava, Token No.142/RS.
29. Mahboob Alam Ansari, Token No. 154/CA.
30. Raj Kumar(SC), Token No.116/RS.
31. Anwar Hussain Ansari, Token No.132/CA.
32. Vishwa Jeet Sharma, Token No.162/CA.

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33. Vijay Singh Verma , Token No.57/CNC. respondents 5 to 33 are Machinist Engineering Skilled working in the Small Arms Factory, Kanpur, notices may be sent to them through the Gneral Manager, Small Arms Factory, Kanpur.

By Advocate Shri Pranay Krishna

O_R_D_E_R ( Oral )

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

In this bunch of original applications question of law and facts involved are similar and they can be decided by a common order against which learned counsel for the parties have no objection. The O.A.No.332 of 2001 shall be the leading case.

2. The applicants in the present O.As are serving in various Ordnance Factories runned by respondent no.1, in different grades. The grievance of the applicants is that their seniority has been affected by the impugned orders dated 03.01.01(annexure A-1) passed by Ordnance Factory Board, which was communicated to the applicants vide order dated 03.02.01(annexure A-2). The reasons stated in the impugned orders is that the rules applicable to the employees of Ordnance Factories provide that the seniority shall be maintained on the basis of merits of the candidates at the time of selection. However, ignoring these rules, the seniority list was being maintained on the basis of age. In other words the elder in age was shown as senior in preference to younger ones. The objection was raised by some of the employees that the seniority list is being maintained in contravention of rules applicable. The objection raised

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was accepted by the respondents and the seniority list has been corrected in accordance with the rules applicable and not it has been prepared on the basis of merits of the employees, secured at the time of selection. There is no dispute amongst the parties on the facts .

3. Shri Vikram Nath, learned counsel appearing for the applicants , however, challenged this impugned order of correcting the seniority list on two grounds. The first submission is that the correction in the seniority list has been carried out only to the period of 10 years before the date of the orders. Learned counsel submitted that though the seniority list prior to the period of 10 years suffers from the same mistake, but they have not been touched and the corrections have not been done. Learned counsel has submitted that the action of the respondents in correcting only list of 10 years is arbitrary and violative of Article 14 of the Constitution of India. The second submission of learned counsel for the applicants is that the seniority is settled for the period of 10 years and it should not have been disturbed. The last and third submission of learned counsel for the applicants is, that some of the applicants have been promoted to the next higher grade, but after the seniority lists were corrected under the impugned orders, they have been reverted back to their original position, without giving any opportunity of hearing. Learned counsel

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for the applicants has placed reliance on the following Judgments;

(i) A.I.R.1975 S.C. 1269 Malcom Lawrence Cecil D'Souza Vs.Union of India & Ors.

(ii) (1990)13 A.T.C.630 Hemchandra Raghunath Thakare Vs. Chairman, Central Board of Direct Taxes, New Delhi and Others.

(iii) (1990) 14 A.T.C.595 K.K. Govil and Others Union of India and Others.

(iv) 1991 Supp(2)S.C.C.183 Govt.of A.P. and Ors. Vs.M.A. Kareem and Ors.

(v) (1991)18 A.T.C. 875 Arun Prasad Vs.Union of India and Others.

(vi) 1993Supp(2) S.C.C. 262 Ramvir Singh Vs. Union of India and Others.

4. Shri Amit Sthalekar, learned counsel appearing for the respondents on the other hand has submitted that the rules ~~were~~ existed from the very beginning , but the seniority lists were prepared in contravention of the statutory provisions. When the matter was brought to the notice of the authorities, lists were corrected. It has also been submitted that the period of 10 years was taken to be a reasonable period for correction as it would have been much harder for the earlier cases as they had already given 2 or 3 promotions. It has also been submitted that in the cases beyond period of 10 years, it would have been difficult to trace the merits of the employees at the time of selection. Learned counsel has submitted that the decision of the respondents to correct the seniority list of only 10 years ~~service~~ caused inconvenience only to a small number of employees. It is submitted that as the statutory

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provisions have been followed and the mistake has been corrected, the applicants have failed to make out any case for interference by this Tribunal.

5. We have carefully considered the submissions made by the counsel for the parties.

6. As already stated the factual position in all these cases is not in dispute. It is also not disputed that the rules existed from the very beginning which provided that the seniority shall be maintained on the basis of merit of the employees determined by the Selection Committee at the time of selection. However, by inadvertence or for some other reason, this rule ~~is~~ escaped ~~from~~ the notice of the authorities and the seniority list was being maintained on the basis of age of the employees. By the impugned orders, mistake has been corrected and there cannot be any objection if the respondents are now following the rules. However, the objection of the counsel for the applicants is that they are applying rules only to the seniority lists of a period of 10 years, ~~and~~ while the seniority lists of the earlier years also suffered from the same mistake. The submission is that the action of the respondents is arbitrary and discriminatory. We gave serious consideration to this submissions, however, we do not find any substance in this submission, ~~for the reasons that~~ for more than one reason, correction of seniority lists could not be

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carried out for the entire period. It is not disputed that on the basis of seniority list maintained prior to period of 10 years, some of the employees were given promotions more than once and by now they may be at the verge of attaining the ages of superannuation, so to disturb their position at this late stage, has rightly not been found reasonable by the respondents. Thus, the period of 10 years taken by the respondents for correction purpose does not appear to be arbitrary. In respect of old cases, it would also have been difficult to ascertain the merits of employees at the time of their selection. Thus, the period of 10 years from all angles appears to be justified.

7. Learned counsel also submit that the settled seniority of the applicants could not be disturbed after a period of 10 years. For this submission, the learned counsel for the applicant has placed reliance on the judgements of Hon'ble Supreme Court and of this Tribunal in some cases. However, the Hon'ble Supreme Court in para-9 of the Judgment in the case of M.L.C.D'Souza has held as under:-

> "Although security of service cannot be used as a shield against administrative action for lapses of a public servant, by and large one of the essential requirements of contentment and efficiency in public services is a feeling of security. It is difficult no doubt to guarantee such security in all its varied aspects, it should at least be possible to ensure that matters like one's position in the seniority list after having been settled

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for once should not be liable to be reopened after lapse of many years at the instance of a party who had during the intervening period chosen to keep quiet. Baking up old matters like seniority after a long time is likely to result in administrative complications and difficulties. It would, therefore, appear to be in the interest of smoothness and efficiency of service that such matters should be give a quietus after lapse of some time."

8. In our opinion in the present case the principles laid down by the Hon'ble Supreme Court for correction of seniority list, have been followed. They have corrected it only to the extent of reasonable period, which is possible. There could not be any estoppel against law. If the respondents are obeying the rules and correcting the seniority list, they cannot be directed to stop this procedure and allow the breach of the rules to continue. In our opinion, the authorities relied on by the learned counsel for the applicant do not help him in the facts of the present case. Some of the applicants who were granted promotion , have been reverted back on account of the corrections of the seniority list. They have not served on promotional posts for a long period. Thus, suffering is not such which can be termed as irreparable. They shall get another chance for promotion after few years.

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On over all consideration, in our opinion, the impugned orders are just and no interference is called for by this Tribunal. The Original Applications are accordingly dismissed. No order as to cost.

Sd/
A.M.

Sd/
V.C.

Pronounced
in
11/12/01