

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD.

THIS THE 29<sup>th</sup> DAY OF JULY 2021

MISC. AMENDMEMNT APPLICATION NO. 330/1268/2019

In

ORIGINAL APPLICATION NO. 330/40/2019

**HON'BLE MRS. JUSTICE VIJAY LAKSHMI, MEMBER (J)**

**HON'BLE MR. TARUN SHRIDHAR, MEMBER (A)**

COD Chheoki Shramik Union, Allahabad through its Secretary, Shri Amit Kumar, son of Shri Ganga Ram Yadav R/o 16-B, Malak Raj, Rambagh, Allahabad.

.....Applicant

By Advocate : Shri Vikas Budhwar/Shri Udayan Nandan

Versus

1. Union of India through its Secretary, Ministry of Defence Government of India, New Delhi.
2. Directorate General of Staff Duties (SD-8), General Branch Staff, Integrated HQ of MOD (Army), DHQ PO, New Delhi -110011.
3. Directorate General of Ordnance Services Master General of Ordnance Service Branch, Integrated HQ of MOD (Army), Sena Bhawan, New Delhi.
4. Central Ordnance Depot (COD), Chheoki, Allahabad through its Commandant.
5. Commandant/Officiating Commandant Central Ordnance Depot (COD), Chheoki Allahabad.

.....Respondents

By Advocate: Shri D.S. Shukla

**ORDER**

Delivered by Hon'ble Mrs. Justice Vijay Lakshmi, Member (J).

1. Heard learned counsel for the parties on amendment application and perused the record.
2. The instant amendment application has been filed by the applicant with prayer to add some new paragraph in the body of the OA and one paragraph in its prayer clause.
3. Learned counsel for the applicant submitted that after the filing of the present OA, certain new developments have taken place, which are necessary to be brought on record for a proper adjudication of the controversy involved in this case. Therefore, the required amendments are necessary, to be incorporated and amendment application may be allowed in the interest of justice.
4. By way of amendment, the applicant has prayed to add some new paragraphs after paragraph No. 4.49 of the OA and after ground No. R in the OA. In the prayer clause, after prayer No.1 he has prayed to add one more prayer for setting aside the directions contained in the orders dated 15.04.2019 and 21.05.2019.
5. Learned counsel for the respondents has vehemently opposed the amendment application by contending that the applicant is

delaying the matter by moving various types of applications and is taking the advantage of interim stay granted in his favour.

6. We have considered the rival contentions advanced by learned counsel for both the parties.
7. In the interest of justice and in wake of certain new developments, the amendment application is allowed.
8. The learned counsel for the applicant is directed to carry out the amendment in the body and in the prayer clause of the OA within one week and supply the copy of amended OA to learned counsel for the respondents within one week thereafter.
9. Learned counsel for the respondents may file supplementary counter affidavit against amended OA within one week. Supplementary rejoinder affidavit, if any, may be filed within one week thereafter.
10. List on 20.08.2021 for final hearing.
11. Hon'ble Mr. Tarun Shridhar, Member (A) has consented to the order during virtual hearing.

(TARUN SHRIDHAR)  
Member (A)

(JUSTICE VIJAY LAKSHMI)  
Member (J)

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