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**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**CP No. 130/2021  
In  
OA No.4010/2015**

**This the 21<sup>st</sup> day of June, 2021**

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Arun Das  
S/o Lt. Sh. Dhola Dass,  
Working as Highly Skilled-II,  
Worker, Ordnance Factory,  
Dehradun (UK),  
R/o Garhwali Colony, Lane No.71,  
Type-III, Nehru Gram, Dehradun.
2. Devi Dutt Joshi,  
S/o Sh. N. Joshi,  
Working as Highly Skilled-II,  
Worker, Ordnance Factory,  
Dehradun (UK),  
R/o Bangha Khala,  
PO Ranjhawala,  
Raipur, Dehradun.

... Applicants

(By Advocate: Shri Yogesh Sharma)

**Versus**

Sh. P.K. Dixit  
General Manager,  
Ordnance Factory, Raipur,  
Dehradun (UK)

... Respondent

(By Advocate : Shri Piyush Gaur )



## **O R D E R (ORAL)**

**Justice L. Narasimha Reddy, Chairman :**

The applicants were promoted to the post of Highly Skilled (HS) on 09.11.2004 and 01.03.2005 in the Ordinance Factory. However, through an order dated 21.07.2012, the Management of the Ordinance Factory reverted them to the post of Skilled Fitter (Auto). They filed OA No.4010/2015 challenging the order of reversion. The principal ground urged therein was that the applicant was not put on notice. The OA was allowed on 22.01.2020 in terms of the orders passed in OA No.4033/2015. Accordingly, the respondents have issued a notice to the applicants on 06.01.2021, requiring them to explain as to why their promotion to the post of Skilled to HS not be cancelled. The applicants submitted their explanations. Taking the same into account, the respondents passed an order dated 13.02.2021 stating that the earlier order of reversion is 'reinstated'. This contempt case is filed alleging that the respondents did not comply with the order in the OA, in its true letter and spirit.

2. Shri Yogesh Sharma, learned counsel for the applicant submits that the respondents were under obligation to pass fresh orders, and instead, they have

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reiterated the earlier order which was already set aside by this Tribunal.

3. Shri Piyush Gaur, learned counsel for the respondents, on the other hand, submits that the basic infirmity in the earlier order of reversion was that no notice was issued, and in compliance with the order in the OA, notice was issued and fresh order was passed.

4. The order of reversion dated 21.07.2012 passed against the applicants was set aside by this Tribunal on the ground that it was not preceded by a notice, and an opportunity was given to the respondents to pass fresh orders, after issuing notice. Accordingly, the notice was issued and an order was passed. Normally, with that, the order in the OA stands complied with. The grievance expressed by the applicants in this CP is that in the concluding portion of the order dated 13.02.2021, the respondents have just reiterated the earlier order dated 21.07.2012.

5. We are of the view that it is a case of poor drafting. Various points urged by the applicants in their reply were discussed in detail in the impugned order, and instead of stating that the applicants deserve to be reverted, the respondents have observed that the order dated 21.07.2012 is reinstated.

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6. We direct that the impugned order shall be construed and read as though the reversion is ordered with effect from the date of order. It shall be open to the applicants to pursue the remedies in accordance with law, if they feel aggrieved by the reversion. The Contempt case is closed.

**( Mohd. Jamshed)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

lg/jyoti/rk/sd