

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



O.A. 350/00260/2021

Date of order: 24.02.2021

Present : **Hon'ble Mrs. Bidisha Banerjee, Judicial Member**
Hon'ble Dr. Nandita Chatterjee, Administrative Member

1. Cossipore & Dum Dum Ordnance Factories Mazdoor Union (Dum Dum Branch), a registered Union being Registration No. 2401 affiliated to All India Defence Employees Federation recognized by Govt. of India represented by its Joint Secretary namely Shri Arindam Sen, son of Shri Anil Kumar Sen, having its registered office at 23/1, Cossipore Road(Bibi Bazar), Kolkata- 700002.
2. Shri Arindam Sen
3. Shri Swapan Mukherjee
4. Shri Chinmoy Mukhopadhyay
5. Shri Kallol Sengupta
6. Shri Biswajit Bhattacharjee
7. Shri Biswajit Mondal
8. Shri Sanjoy Ghosh
9. Shri Sukanta Choudhury

Applicants.

-versus-

1. Union of India, service through the Secretary, Ministry of Defence (Defence and Production), Govt. of India, South Block, New Delhi- 110001.
2. The Controller General of Defence Accounts, Ministry of Defence, having its office at Ulan Batar Road, Palam Colony, Delhi Cantonment, New Delhi- 110010.



3. The Director General of Ordnance Factories and the Chairman, Ordnance Factory Board, Govt. of India, Ministry of Defence, having her office at 10 A, Shaheed Khudiram Bose Road, Calcutta- 700001.
4. The Principal Controller of Accounts (Fys.), Ministry of Defence, having her office at 10A, Shaheed Khudiram Bose Road, Calcutta- 700001.
5. The General Manager, Ordnance Factory, Dum Dum, Raja Bagan Estate, Jessore Road, K. B. Sarani, Kolkata- 700028.

.....Respondents.

For the Applicant : Mr. P.C. Das, Counsel
Ms. T. Maity, Counsel

For the Respondents : Ms. E. Banerjee, counsel

O R D E R(Oral)

Per Bidisha Banerjee, Judicial Member



Heard both.

2. Ld. Counsel for applicants submits that he would be satisfied if a direction is given to the competent respondents' authority to consider the case of the applicants in the light of the order passed by this Tribunal in OA. 705/2020 dated 11.11.2020, annexed as annexure A-7 of the OA, which reads as under:

"3. In pursuance of our earlier direction on 15.10.2020, ld. Counsel for respondents handed over a copy of proforma affidavit to the ld. Counsel for applicants today, which is required to be filled up by the applicants duly endorsed from 1st class Magistrate or Notary.

4. Ld. Counsel for applicants submits that the same shall be submitted by 4 weeks upon receipt of such affidavit.

5. Therefore, respondents are directed to consider the case of the applicants in the light of the order passed by the Principle Bench as well as Hyderabad Bench of this Tribunal for releasing the dues from the admissible dates in terms of the decision and release the dues positively by 2 months thereafter.

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6. As prayed for by Id. Counsel for the applicants, on behalf of Members of the Applicant Union, dues shall be released in favour of all the members of the Union who affirm on affidavit through 1st Class Magistrate/Notary.

7. The present OA accordingly stands disposed of. No costs."

3. Ld. Counsel for respondents does not object to such disposal in accordance with law.

4. Accordingly, this O.A. is disposed of directing Ld. Counsel for the respondents to hand over a copy of proforma affidavit to the Ld. Counsel for the applicant within a week, which shall be filled up by the applicants duly endorsing from 1st Class Magistrate or Notary and shall be submitted within a period of four weeks therefrom. Thereafter, the respondents shall consider applicants' case in the light of the order passed by the Principle Bench as well as Hyderabad Bench of this Tribunal for releasing dues from the admissible dates in terms of the decision and, if found eligible, release the dues positively by 2 months thereafter, subject to outcome of the SLP No. 12845 to 12852 of 2012.



5. As prayed for by Id. Counsel for the applicants, on behalf of Members of the applicants' Union, dues shall be released in favour of all the members of the Union who affirm an affidavit through 1st Class Magistrate/Notary.

6. With the aforesaid observations, the O.A. stands disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

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