

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 25TH DAY OF FEBRUARY, 2002

Original Application No. 1528 of 1993

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.C.S.CHADHA, MEMBER(A)

1. Ram pratap Singh, son of
Sri Sita Ram Singh,
R/o 2/L-47, Dabauli Ist,
Kanpur Nagar, Token No.550/
Bomb Shop.
2. Jai narain Lal, son of Late
Shri Bansi lal, resident of
N-T/2/126, Armapur Estate,
Kanpur City, token No.487/Bomb Shop
3. Deepak Chandra Dutta, son of
Sri S.C.Dutta, resident of
House No.619, B-Block Panki
Kanpur City. Token No.542/NSM
4. Habibur Rahman, son of Sri Moharram
Ali, resident of 1067, Nai Basti
Rawatpur, Kanpur city. Token No.
138/Bomb shop.

..... Applicants

(By Adv: Shri Vikram nath)

Versus

1. Chairman, Ordnance Factory Board
10-A, Auckland Road, Calcutta-1
2. General manager Ordnance Factory
Kalpi Road, Kanpur.
3. Union of India, through Secretary
Ministry of Defence, New Delhi.

..... Respondents

(By Adv: Ms.Sadhna Srivastava)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

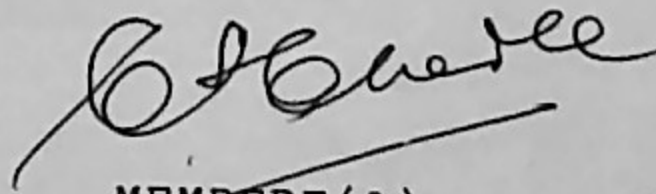
By this OA u/s 19 of A.T.Act 1985 applicants have
prayed for their merger with the trade of Fitter(T & G)
and not with the trade of Fitter(General). They have also
prayed that the petitioners may be promoted to skilled
grade from the year 1979 and not from the year 1982. The

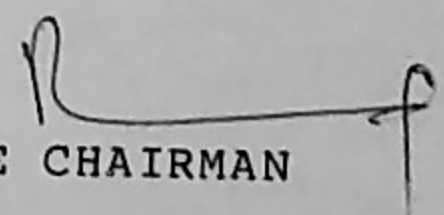
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four applicants have^u joined as Fitters in different years. Applicant No.1 joined on 8.3.1973. Applicant no.2 joined on 30.10.1972, applicant no.3 joined on 30.10.1972 and applicant no.4 was appointed in 1964 in different factories. In due course of time they were all transferred to Ordnance Factory, Kanpur. The prayer is that they should be promoted in skilled grade from 1979 and not from 1982. This OA was filed on 4.10.1993. The OA is highly time barred.

Ms.Sadhna Srivastava learned counsel for the respondents has invited our attention to para 15 of the counter wherein it has been stated that the merger has been given effect only after implementation of the recommendation of Guha Committee in the year 1989. Thus the petitioners were already granted merger in Fitter(General) It is a policy decision which can be decided only by Executive Authorities. Courts are ill-equipped to decide such matters The Guha Committee recommendation must have been made after considering all aspects of the matter^{and after} ~~after~~ ^{hearing} the concerned employees. In the circumstances, the applicants are not found entitled to any relief.

The application is dismissed with no order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 25.2.2002

Uv/