

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 Bansilal, 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.

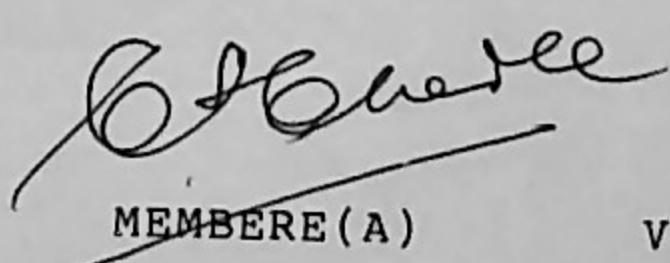
By this OA u/s 19 of A.T.Act 1985 applicants have prayed for their merger with the trade of Fitter(T & G) and not with the trade of Fitter(General). They have also prayed that the petitioners may be promoted to skilled grade from the year 1979 and not from the year 1982. The

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four applicants have 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 allowing of} ~~after hearing the~~ 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.


MEMBERE(A)


VICE CHAIRMAN

Dated: 25.2.2002

Uv/