

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Allahabad this the 31st day of January 2002

Original Application no. 1731 of 1993.

Hon'ble Mr. Justice RRK Trivedi, Vice-Chairman
Hon'ble Maj Gen K.K. Srivastava, Member (A)

1. Harihar Nath Sharma,
S/o Late B.P. Sharma,
R/o 23/31, Patkapur,
Kanpur.
2. Swami Dayal, S/o Late Raja Ram Nigam,
R/o 2/262, Nawabganj,
Kanpur.
3. Onkar Nath Srivastava, S/o late D.N. Srivastava,
UDC, Pay Section in Ordnance Equipment Factory,
Kanpur.

... Applicants

By Adv : Sri GD Mukherji & Sri S Mukherji

V E R S U S

1. The Union of India through Secretary,
Ministry of Defence,
NEW DELHI.
2. Chief of the Army Staff,
Army Headquarter, South Block,
NEW DELHI.
3. General Manager, Ordnance Equipment Factory,
Phoolbagh, Kanpur.

... Respondents

By Adv : Km. Sadhana Srivastava,

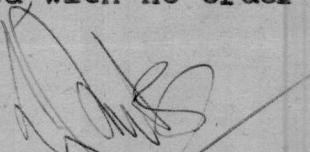
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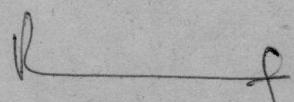
ORDERHon'ble Mr. Justice R.R.K. Trivedi, VC

By this OA filed under section 19 of the A.T. Act, 1985, the applicants have prayed that the order dated 20.1.1992 (Ann 2) retiring the applicants at the age of 58 years be quashed.

2. The applicants were serving as UDC in Ordnance Equipment Factory, Kanpur. They were retired on 31.11.1993 and 31.12.1993 by the impugned order. They claimed that ~~they were~~ ^{they were} entitled to work up to the age of 60 years and the order is illegal. This controversy was examined by this Tribunal in OA 492 of 1993 which was decided with a bunch of other OAs vide order dated 28.2.1994. This Tribunal held that UDC & LDC are not covered by rule 459(B) and as such they are not entitled ^{to} the benefit of retirement at the age of 60 years. We are ⁱⁿ ~~respectfully~~ agreement with the view taken by this Tribunal. The judgment is squarely covers this OA. Therefore, the applicants are not entitled for any relief. The OA is accordingly dismissed with no order as to costs.



Member-A



Vice-Chairman

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