

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH
ALLAHABAD

DATED: THIS THE 16TH DAY OF JULY 1997

CORAM : Hon'ble Mr. Justice B.C.Saksena VC
Hon'ble Mr. S. Das Gupta AM

ORIGINAL APPLICATION NO. 194/95

1. Raghunath Prasad Singh
Son of Babu Lal Singh
T No. 259/B HSI
2. Suresh Kumar Singh S/O Raghuraj Singh
T. No. 266/B H.S.I.
3. Triloki Nath Rai s/o Ram Udai Rai
T. No.79/B H.S.I.
4. Puran Lal s/o Sheetal Prasad
T No. 150/B H.S.I.
5. paras Nath Singh s/o Ramdhari Singh,
T No. 93/B H.S.I.
6. Surjeet Singh s/o Sardar Kashmir Singh,
T No.38/B H.S.I.
7. Vidya Saran Mishr s/o Onkar Nath Mishr,
T No. 224/B H.S.I.
8. Hari Singh s/o Sunder Singh Chandel,
T No. 202/B H.S.I.
9. Raj Kumar Bajpai s/o ShriNarain Bajpai
T No.193/B H.S.I.
10. Shyam Charan Yadav s/o Sahdeen Yadav
T No. 260/B H.S.I.
11. K.K.Shrivastava s/o J.P.Shrivastava,
T No. 184/B H.S.I.
12. Marish singh son of Markesh Singh,
T No.185/B H.S.I.
13. Luxmi Narain Singh s/o Ram Niwaj Singh,
T. No.122/B H.S.I.

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14. Somnath Malhotra s/o Bahadur Chand Malhotra,
T No.170/B H.S.I.
15. Bindeshwari Prasad s/o Ram Sunder Maurya,
T No.268/B H.S.I.
16. Sankha Prasad s/o Sarju,
T. No. 137/B H.S.I.
17. Krishna Murari Swarup s/o Ram Swaroop,
T. No.236/B H.S.I.
18. Gombi Prasad s/o Pyare Lal
T.NO.265/B H.S.I.
19. Ran Singh s/o Rishal Singh
T No. 95/B H.S.I.
20. Nazeer Alam s/o Nawab Khan,
T No. 160B H.S.I.
21. Ram Autar Sharma s/o Kallu Ram Sharma
T No.307/B H.S.I.
22. Ved Prakash son of Roshan Lal,
T No. 91/B H.S.I.
23. Vijay Kumar Singh s/o Ram Janam Singh,
T No.65/B H.S.I.
24. Kahralay Ram s/o putai TNo.163/B HSI
All C/O NT III MaistryNagar, Armapur - Applicants
Kanpur.
C/A Sri Arvind Kumar

Versus

1. The Chairman, Ordnance Factory Board
10-Auckland Road, Calcutta-7000 01
2. General Manager, Small Arms Factory,
Kalpi Road, Kanpur.
3. Union of India through Secretary,
Ministry of Defence, New Delhi.

C/R Sri A. Sthalakar

- - - - - Respondents

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W I T H

ORIGINAL APPLICATION NO.1090/93

1. Nil Ratan Ray Chaudhary son of
Late N. C. Ray Chaudhary, r/o
N.T./III/141 Armapur Estate,
Kanpur-208009.T No.373/MM (Ex)
P.C. No.860041

2. B.M.S.Bist son of Ram Singh Bist,
r/o 19/6 Charan Singh Colony,
P.O. Juhi, Kanpur-208014--T No.88/MM

-----Applicants

C/A Sri Yatendra Nsth
Sri Vikram Nath

Versus

1. The Chariman, Ordnance Factory Board,
10-A Auckland Road, Calcutta-700 001
2. General Manager, Small Arms Factory,
Kalpi Road, Kanpur.
3. Union of India through Secretary,
Ministry of Defence, New Delhi.

-----Respondents

C/R Sri Amit Sthalaker

W I T H

ORIGINAL APPLICATION NO.1317/94

1. Babu Ram Misra s/o Late Sri Ram Prasad Misra
HSI 116/MMG
2. Didley Joseph s/o M.F. Joseph
HSI 96/MAG
3. Basant Kumar Sarkar s/o Radha Raman Sarkar.
HSI 51/MAG
4. Sajeer Ahmad s/o N.Kazim Ali
HSI 85/MAG
5. Matish Rai son of H.C.Rai
HSI 54/MAG
6. Prabhakar Pd. Pathak s/o Ram Mani Pathak,
HSI 101/LC
7. Brij Kishore Singh s/o Late Rudra Pratap Singh
HSI 93/LC
8. Mohammad Mahmood Khan s/o Mohammed Siddiqi Khan
HSI 111/MAG

9. Mohammad Shammim s/o Kudrat Allaha HSI 111/MAG
10. Devi Dayal s/o Gaya Prasad. HSI 142/LC
11. Manas Ranjan Bhattacharya son of
Manoranjan Bhattacharya HSI 44/GA
12. Ram Lakhan Tewari s/o Late Kashi Nath Tiwari,
HSI 51/LC
13. Vasudev pd. Srivastava s/o Late Sita Ram Prasad
HSI 95/LC
14. Sangam Lal Yadav s/o Jhaysi Yadav
HSI 98/LC
15. Mangal pd. Verma s/o Jagannath Verma
HSI 72 74/MMG
16. Darshan Singh s/o Thakur Singh
HSI 111/LC
17. Sahab Singh Sengar s/o Late Ajay Singh Sengar
HSI 124/MAG
18. Ganga Pd. Sharma s/o Gokul pd. Sharma
HSI 114/LC
19. Ram pd. Bhakt s/o Late Mathura Prasad.
HSI 80/LC
20. Serju Ram son of Late Ram Saran Ram
HSI 154/MAG
21. Akhtar Alam Siddiqi s/o Ali Asgar
HSI 286/LC
22. Ram Pratap Singh s/o ShriKrishna
HSI 121/MAG
23. Yugal Kishore Srivastava son of
HSI 125/LC
Late Raghu Nandan pd. Srivastava.
24. Shamsul Haq Ansari s/o M. Yunus Ansari.
HSI 140/MAG
25. Niranjan Lal s/o Late Rameshwar Prasad.
HSI 244/LC
26. Pushpendra Singh Yadav son of
HSI 241/LC
Kali Charan Singh Yadav
27. Ram Chandra Singh s/o Late Bechan Singh
HSI 32/LC
28. Amar Singh s/o Kripal Singh
HSI 123/LC
29. Kanhya Lal s/o
HSI 71/MMG
30. Tauseef Ahmad Khan son of Aziz Ahmad.
HSI 221/SC
31. Mohammad Kamil son of Mohd. Sabir.
HSI 130/MMG
32. Badri Vishal Verma son of Beni pd. Verma
HSI 198/SC
33. Ishlam Khan son of Subhan Khan
HSI 1325/LC
34. Kader Nath Sharma son of Late Banarsi Sharma
HS:II 209/LC
35. Sunder Lal Gupta son Rameshwar Pd Gupta
HS II 107/MAG
36. Raghunath Singh s/o Late Hanuman Saran Singh
HS II 62/LC

All are C/O Shramik Basti Harihar Nath Shashtri
Nagar Opposite 300 Block, Kanpur- - - - -

APPLICANTS

C/A Sri Arvind Kumar

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VERSUS

1. The Chairman, Ordnance Factory Board,
10-A Auckland Road, Calcutta 7000 01
2. General Manager, Small Arms Factory,
Kalpi Road, Kanpur.
3. Union of India through Secretary
Ministry of Defence, New Delhi.

- - - - - Respondents

C/R Sri Ashok Mohiley

WITH

ORIGINAL APPLICATION NO. 1316/94

1. Rama Shanker s/o Late Budh Lal.
 2. Ram Prasad Sharma
 3. Hari Ram Sharma.
 4. Pyare Lal.
 5. Shri Ram.
 6. Shiv Dutt Dubey.
 7. Vishan Das
 8. Attar Singh
 9. M. Mukarim.
 10. Dwarika Prasad.
 11. Bhagwat Singh
 12. Chaman Singh
 13. Allauddin
 14. Chotey Lal
 15. Raja Ram Sharma
 16. Balram Sharma
 17. Mool Chand.
 18. Lalta Prasad
 19. Ram Ratan
 20. Gorey Lal
 21. Abdul Majeed
 22. Mobin Ahmad.
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23. Har Dayal
24. Kadar Nath Mishra
25. Ram Lagan Upadhya.
26. Raj Mangal
27. Ram Samujh Shukla
28. Chandra Pal Singh.
29. Mazhar Ali.
30. Bhairo Prasad
31. Shyam Singh.
32. Babu Ram
33. Izhar Ahmad
34. Baldev
35. Surya Pal Singh.
36. Durga Prasad.
37. Ganesh Shanker Dikshit.
38. Sayad Gouhar Ali
39. Ram Parvesh Singh
40. Ganga Prasad.
41. Ram Dularey
42. Mangla Prasad.
43. Girdhar Gopal
44. Rudra Narayan Pandey
45. Tilak Raj
46. Uma Shankar
47. Girish Chand
48. Nagendra Prasad.
49. Parsuram.

All are resident of C/O Ram Shanker,
8/470-A Shukla Ganj, Gandhinagar
Unnao.

- - - - - Applicants

C/A Sri Arvind Kumar

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1. The Chairman, Ordnance Factory Board,
10-A Auckland Road, Calcutta- 700 001
2. General Manager, Small Arms Factory,
Kalpi Road, Kanpur.
3. Union of India, through Secretary
Ministry of Defence, New Delhi.

C/R Sri Ashok Mohile

- - - - Respondents

ORDER

By Hon'ble Mr. Justice B.C.Saksena VC

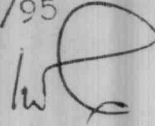
Through these O.As. applicants belonging to the trade of Machinist in the Ordnance Factory ~~Bd/rd~~, Kanpur have claimed parity to that of Grinders who were given benefit on the basis of an earlier decision of the Calcutta bench of the Tribunal.

2. The respondents have through the Miscellaneous Applications placed on record the decision of the Calcutta bench of the Tribunal after O.A. in question had been remanded by the Hon'ble Supreme court on a S.L.P. having been preferred against an earlier decision of the Calcutta bench of the Tribunal has held that there was an error apparent in the judgment rendered in 1977 and accordingly it rejected the claim made in the O.A. and T.As.

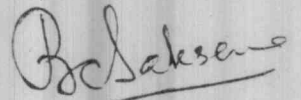
3. In view of the subsequent judgment of the Calcutta bench of the Tribunal, applicants' claim in the O.As. before us also fails by the reason of the earlier decision having been set aside by the Calcutta bench of the Tribunal.

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4. OAs are accordingly dismissed in terms of the judgment and shall be governed by the conclusions arrived at by the Calcutta bench of the Tribunal in its decision dated 6.1.1997, copy of which has been annexed as MA I In M.A.628/97 in O.A. No.194/95



MEMBER(A)



Vice-Chairman

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