

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 07th day of February 2002.

Original Application no. 1517 of 1994.

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

Arun Kumar Srivastava, S/o Sh. Rama Shankar Srivastava,
R/o 104A/177-A, Rambagh, Kanpur.

... Applicant

By Adv : Sri S. Kumar & Sri P Srivastava

V E R S S U S

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

... Respondents

By Adv : Sri S.C. Tripathi

O R D E R

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this OA under section 19 of the A.T. Act, 1985, the applicant has challenged the order dated 30.6.1993 by which the representation of the applicant claiming promotion to higher grade has been rejected. In the order it has been said that the applicant will be promoted from Tool Maker HS II to Tool Maker HS I as soon as the vacancy occures in the trade concern.

2. The grievance of the applicant is that he is entitled for promotion w.e.f. 1994.

...2/-



3. Resisting the claim of the applicant, counter affidavit has been filed, wherein it has been stated that the applicant was initially transferred to Ordnance Factory Amba Jhari on 1.1.1972. The applicant applied for transfer back to Kanpur on compassionate ground. This request was accepted and the applicant was transferred to Kanpur in 1976. On account of this transfer the applicant lost seniority of about 4 years and was put to bottom of the seniority list in view of the order dated 14.6.1974 which provided that in case the industrial employees' transfer from one factory to another factory on compassionate ground of request, his seniority in the existing post will reckon from the date he joins the new factory. In view of the aforesaid the seniority of the applicant has been counted from 1976 when he joined at Kanpur. This fact is not denied and has been admitted in para 4 of the representation.

4. In view of the aforesaid facts and circumstances it appears that the representation of the applicant has rightly been rejected. However, he has been given assurance that he will be considered for promotion as and when the vacancies accrues. We do not find any good ground to interfere in the matter. The OA is accordingly dismissed.

5. There shall be no order as to costs.



Member (A)



Vice-Chairman

/pc/