

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 01st DAY OF NOVEMBER, 2000

Original Application no.1112 of 1992

CORAM:

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

HON.MR.S.DAYAL, MEMBER(A)

1. Sri daya Nand Tripathi, s/o Sri R.S.Tripathi
 2. Gopal Singh, S/o Late Nirsu narain singh
 3. R.B.Lal, S/o Sri R.N.Lal
 4. Bivash roy, s/o Sri kal pad roy
 5. Mukul, s/o Sri Ram Tapeswar
 6. Samir Prasann Dutta Gupta
s/o Sri N.P.Dutta Gupta
 7. Hanuman Prasad Gaur, S/o Sri Narshingh Das
 8. Tej narain Singh, S/o Sri Vijai Bahadur Singh
 9. Onkar Nath Malhotra, S/o Sri kasturi Lal
- All working in the Ordnance Factory, kalpi road
Kanpur(Details whereof have been given in
Annexure 4)

Applicants

Original Application No.1102 of 1994

1. V.P.Dwivedi, S/o Sri Brij Lal dwivedi
2. Ramesh kumar, S/o Basu Dev
3. Sudama prasad, S/o Sri hardev prasad
4. Vishram Singh, S/o Shri Kundan Singh
5. Trilochan Singh, S/O Shri Preetam Singh
6. R.C.Srivastava, S/o Sri harish chandra
7. K.S.Gupta, s/o Late Shri Mewa Lal Gupta
8. Mohd.Jubair, S/o Late Shri Kayum Uddin
9. A.K.Sharma, S/o Late Shri Harvansh prasad
10. N.C.Pathak, S/o Shri jagdish Pd.Pathak
11. Sunder Singh, S/o Shri lala Ram
12. Ram ratan Sharma, S/o late Shri Asharfi lal
13. Iftekar Ali, son of Late Shri Ashfaq Ali
14. Rajjan Beg, S/o Sri Majjan beg
15. Rajeev Sobti, S/o Shri R.L.Sobti
16. R.K.Kushwaha, S/o Sri suraj bali Kushwaha
17. Mangali prasad, S/o Shri Lala
18. Mahendra Swaroop, S/o late Shri C.B.Sharma
19. Satish kumar, son of Sri ramesh Chandra
20. N.S.Katiyar, S/o Late Shri Sudarshan Lal
21. Madan Lal yadav, S/o Late Shri Lala Ram
22. Prahlad Kumar Nigam, S/o Om Sharan Nigam
23. Kripa Shanker S/o Subedar Gupta

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Dated.....

WORKS Manager
Designation of the Executive Officer

24. Hashim Raja, S/o Shri Nazim hussain
25. Kulwant Singh, S/o Late Sri Gur Dayal Singh
26. R.K.P.Sharma, S/o Sri pratipal Sharma
27. R.N.Vishwakarma, S/o Shri Ram raj vishwakarma
28. Markandey prasad, s/o Sri Budhhi Ram
29. Gulab Vishwakarma, S/o Sri Ram Raj
30. Param jeet Singh, S/o Sardar Jung Bahadur
31. Vikramaditya Yadav, S/o Sri Gambhir Singh
32. R.K.Mishra, S/o Sri Baij Nath Mishra
33. Kailash Chandra, S/o Sri mangali prasad
34. S.K.L.Sharma, S/o Late Shri Shiv Shanker
35. Robert Don, S/o Late Sri Peetar Don
36. Rai indra Singh, S/o Sri Lata Prasad
37. Amal Karmakar, S/o Sri D.C.Karmakar
38. N.Chakravarti, S/o Late Sri B.B.Chakravorty
39. K.P.Pal, S/o Late Shri Pyari Mohal Pal
40. Shiv Sagar Mishra, S/o Brindaban Mishra
41. Shyam babu Dwivedi, son of Shri Ram rata Dwivedi
42. Rama Kant Verma, S/o Sri Devi Ram Verma
43. Paitrik, S/o Sri D.William
44. Shah Mohammed, S/o Bhola shaikh
45. Avinash Singh, son of Sri Jogendra Singh
46. Mahendra Prasad, S/o Late Shri Baboo Ram
47. Vashik Ahmed, S/o Sri Latif Ahmad Khan
48. Satish Srivastava, S/o Sri Ram narain
49. Ajai Shanker, S/o Late Sri prem Shanker
50. S.N.Tiwari, son of Late Shri B.D.Tiwari
51. J.B.Singh, S/o Sri shiv Nath Singh
52. R.K.Arora, S/o late Sri Amar Nath Arora
53. R.A.Shukla, s/o Late Shri Madhav Prasad Shukla
54. S.P.Sahu, S/o Late Sri Hira Lal Sahu
55. D.K.Sharma, S/o Late Sri Chhote Lal Sharma
56. Vijai Verma, S/o Late Ram lal Verma
- 57.

...Applicant

Original Application No.1937 of 1994

1. Ramjani, son of Late Shri Imam Bux,
2. S.K.Singh, son of Shri Laxmi Singh
3. S.K.Yadav, son of Shri Sobhan Yadav
4. K.D.Yadav, son of Shri Shiv Mangal Yadav
5. V.K.Mishra, son of Shri D.Mishra
6. Rajendra Mishra, son of Shri Bankey Lal Mishra

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Dated.....2.....199

Works Manager / Admin.
Designation of the Executive Officer

R.R.

7. A.G.Siddiqui, son of Shri Abdull Sattar
8. V.D.Mishra, son of Shri Late Bechan Mishra
9. Prem Kishore son of Shri M.N.Prasad
10. Bhanu pratap son of Shri Ram Briksha
11. S.P.Mishra son of Shri Nagendra Mishra
12. Jahoor Ahmad son of Late Shri Rasool Bux
13. J.L.Mashi, son of Shri Ram Jeet Mashi
14. V.S.Dubey, son of Late Shri Algoo Dhar Dubey
15. Sunil Kumar Srivastava son of Late Shri Shiv
Shanker Lal
16. Lalji Vishwakarma son of Shri Baij nath Prasad
17. D.K.Mukherjee son of Shri T.N.Mukherjee
18. Kayam Singh son of Sri Chhotey Lal
19. Ajai veer Singh son of Late Shri Ganga Singh
20. Satya Vrat Tiwari son of late Shri laxmi Chandra Tiwari
21. Shanker Lal Gupta son of Late Shri ram Charan gupta
22. V.K.Dixit son of Late Shri Jagan Nath Prasad
23. D.Singh, son of Late Shri E.V.Singh
24. Hira Lal son of Late Shri Suddhum
25. Shyam Sunder Yadav
26. Atma Ram son of Shri Ram Sharma
27. Mahajan Singh son of Shri Ram Pyare Singh
28. Baboo Lal Maurya son of Late Shri Jagdeo Prasad
29. J.P.Shukla son of Late Shri Kalika Prasad
30. Vijay Shanker Shukla son of Late Shri Ram Swaroop Shukla
31. Baboo Ram Mishra son of Shri Junsher Mishra
32. Ganga Ram son of Late Shri Sukh Lal
33. Ghanshyam Dubey son of Late Shri Shiv Shanker Dubey
34. Bhagirathi Upadhyay son of Late Shri Bhullar Upadhya
35. Raja Ram son of Late Shri Jai Karan
36. Ashok Kumar Srivastava son of Late Shri Harbans
Lal Srivastava
37. Ram Prabha Vishwakarma son of Shri Deo narain Vishwakarma
38. Ram Chandra Singh son of late Shri buddha Singh

Dated.....2.....199

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Works Manager / Admin.
Designation of the Executive Officer

39. Phekhan Ram son of Shri Munni Ram
40. Chandra Bhushan Das son of Shri Phekhan Ram
41. Suresh Chandra Gupta son of Shri R.P.Gupta
42. Pyare Lal son of Late Shri Gangoo
43. Ram Kumar Chauhan son of Late Shri Ram Bahadur
44. Mohan Lal Sharma son of Late Shri P.L.Sharma
45. Mahadeo Prasad son of Late Gujeshwar Prasad
46. Uma Kant Awasthi son of Shri Shiv Ram prd.Awasthi
47. Awadh Chaturvedi son of late Shri Tirth Raj Chaturvedi
48. Mohd.Ibrahim son of Late Shri sahadat Ali.
49. R.P.Sahu son of Late Shri Ram Deen Sahu
50. Sarfuddin son of Shri Mahmood Ali
51. Ram daur son of Late Shri Tiju
52. Shrawan Singh son of Shri Ram Agya Singh
53. S.S.Chauhan son of Shri Ram Ratan Chauhan
54. Anil Kumar Kalia son of Shri H.K.Kalia
55. Khunni Lal son of Asharfi Lal
56. Rajendra son of Shri Ram Swarath
57. Sudhir Chandra Das sosn of Late gaur Mohan Das
58. C.L.Bajpai son of Shri D.G.Bajpai
59. R.R.Pandey son of Shri R.R.Pandey
60. J.P.Singh son of Late R.D.Singh
61. S.P.Srivastava son of Late Ram lakhan lal
62. Jagdish Roy son of Shri Rama Shanker Roy
63. P.N.Yadav son of Shri Umrao Yadav
64. Jageshwar son of Shri Asha Deen
65. Gorakh Prasad son of Shri Gani Prasad
66. K.K.Nayar son of Gopalan Nayar

...Applicants

Original Application No.1817 of 1994

1. Bipin behari son opf Late Saru prasad

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2. Ram Sijor Maurya son of Shri Sahadeo
3. Narendra Kumar son of Shri Charan Das
4. Maouniddin son of Shri Jahiruddin
5. Jasbir Singh son of Sri Sardar Sohan Singh
6. R.S.Maurya son of Late Ram deo Maurya
7. Kabool Ahmad son of Late Imam Baksh
8. B.S.Srivastava son of Late Sri T.G. Srivastava
9. Santosh Kumar son of Sri Raj Bali Singh
10. Karuna Sagar son of Sri Ram Kishore Shukla
11. Prem Narain Shukla son of Baboo Ram Shukla
12. S.K.Ray son of Shri B.B.Ray
13. Rameshwar Singh son of Ram Ugrah Singh
14. Sheo Kumar son of Sri Shiv Prasad Vaisya
15. S.K.Tiwarii son of Sri D.P.Tiwari ,
16. Rameshwar Singh son of Late Sri Jaga Singh
17. Tarachand son of Sri Brahma Deo Prasad
18. Mohd.Iqbal son of Sri Noor Mohammad
19. Ravi Shanker son of Omkar Nath
20. Kamlesh Sharma son of Sri Vishwanath Sharma
21. A.K.Khanna son of Late Suraj Prakash
22. R.B.Sharma son of Sri Naresh Sharma
23. Bhan Kinkar Pandey son of Late Ram Lotan Pandey
24. Jai Chandra son of Sri Bhagirathi
25. Mahabir Singh son of Sri Basdeo Singh
26. Sarvadeo Singh son of Sri Ram Harakh Singh
27. kehar Singh son of Gurudas Singh
28. Bankey Lal son of Mathura Prasad
29. Anirudh Lal son of Late Sri Ranjit Bahadur
30. Abdul Rauf son of Late Sri Abdul Gafoor
31. Shri Kumar Pal son of Shri Manni Lal Pal
32. Shamim Ahmed son of Sri Nasiruddin
33. Ram baboo son of Sri Sooraj Bali
34. Vishnu Sharma son of Late Sri baboo Ram
35. Puran Mishra son of Sri badri prasad

36. Pramod Kumar son of Shri Ram Charan
37. Shivaji Palit son of Late Sri S.K.Palit
38. M.M.Bhatia son of Late Sri P.L.Bhatia
39. Irshad Illahi son of Sri Kasam Illahi
40. Shiv Shanker son of Sri Kashi Prasad
41. Birbal Prasad son of Sri Ram Khelawan
42. Vishwanath Yadav son of Sri Bahal Yadav
43. Nandeshwar son of Sri Bhairo Prasad
44. K.N.Mishra son of Sri prem Narain Mishra
45. Ram Murti son of Late Sri Balak Ram
46. Narsingh Narain son of Late Sri Ram Chhewar Mishra
47. Sheo Kumar son of Shri Ram Sashrey
48. Lala ram jha son of Late Shri Dhani Ram Jha
49. O.P.Savita son of Sri ram Dev
50. Janardan Yadav son of Sri Raj Bali
51. S.P.Singh son of Shri M.Singh
52. D.Chakraborti son of Late Sri P.K.Chakraborty
53. R.K.Paul son of Late Shri Sadanand Paul
54. C.K.Mishra son of Sri U.K.Mishra
55. Paras Nath son of Sri Bola Nath Yadav
56. Baloo son of Sri Hibib
57. Gangadhar son of Upendra Chand Prasad
58. M.M.Siddiqui son of M.N.Azim
59. Munne son of Rahim Baksh
60. Ram nath son of Pusa Lal
61. Ganga Prasad Yadav son of Sri Nankhoo Yadav
62. Jai Prakash son of Sri Tulsi Ram
63. hasmat Ali son of Sri mohd. Shafi
64. Ram Bahadur son of Sri Shiv Mohan Yadav
65. Virendra Kumar Srivastava son of Sri Laxmi Saran
Srivastava
66. Dalbir Singh son of Shri Man Singh

(By Adv: Shri Vikram Nath)

...Applicants

KAM

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Versus

1. The Chairman, Ordnance Factory Board,
10-A Auckland Road, Calcutta-700001
2. General Manager, Ordnance Factory
Kalpi Road, Kanpur.
3. Union of India, through Secretary,
Ministry of Defence, New Delhi.

...Respondents

(BY Adv: Shri Amit Sthalekar)

O R D E R (Oral)

(By Hon. Mr. Justice R.R.K. Trivedi)

In all the aforesaid four cases questions of fact and law are similar and they can be disposed of conveniently by a common order against which the counsel for the parties have no objection.

The applicants by means of this application u/s 19 of the A.T. Act 1985 have prayed that respondents may be directed to implement the Anomalies Committee Report w.e.f. 16.10.1981. The case of the applicants in short is that though they were working as Semi skilled workers their trades were excluded by Expert Classification Committee appointed in pursuance of the Recommendation of the III Pay Commission. When this position was brought to the notice of the Government, ^{which} Anomalies Committee was constituted after re-evaluation recommended for grant of skilled grade to 23 additional semi skilled grades. It is claimed that applicants are serving on these 23 semi skilled grades and they are entitled for the skilled grade w.e.f. 16.10.1981. Both the learned counsel have agreed that the controversy raised in this application stands concluded already by order of this Bench in OA No. 564/91 which was decided on 6.1.1997. The copy of the order has been filed as (Annexure 1) to the supplementary affidavit

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Designation of the Executive Officer

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dated 13.4.1997. This application is accordingly disposed of finally with a direction to the respondents to fix the grade of the applicants as directed by this Tribunal vide order dated 6.1.1997 in other cases and also refix the seniority of the applicants ^{with consequential benefits} on the basis of their fixation of the revised pay scale.

There will be no order as to costs. Let a copy of this order be kept in all the OAs.

Dated.....27.....99

WORKS
Designation of the Executive Officer

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RAH

Dr. No. 4536/94
Additional Bench At Allahabad
Date of Filing 05.12.94
OR
Receipt

S. O. (J)
For N. A. Keep on Record
Registrar



16-2-2000 VAKALATNAMA

Before
In the Court of O.A. No. 1817 of 1994
Central Administrative Tribunal Bench Allahabad.

Plaintiff
Defendant Bipin Vihari
Claimants
Appellant
Petitioner

Versus

Defendant
Plaintiff Union of India
Respondent


The President of India do hereby appoint and authorise Shri AMIT STHALEKAR, Advocate, 32, Nyaya Marg, Allahabad-211001 Chamber No. 13, High Court, Allahabad to appear, act, apply, plead in and prosecute the above described suit/appeal/proceedings on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying, pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/Pleader or any Counsel/Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence proceedings against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement or Compromise where by the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate or Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjust and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agrees to ratify all acts done by the aforesaid Shri AMIT STHALEKAR, Advocate in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the.....14th day of Feb. 2000 199

Dated.....14-2-2000.

(Rajvir Singh)
Works Manager / Admin.
Designation of the Executive Officer


 Registrar
 Nagpur
 05/12/95

DISTRICT KANPUR NAGAR

31. ~~Shikhar~~ Shikhar
32. Manish Shikhar
33. Ram Shikhar
34. ~~Shikhar~~
35. Poochendra Mishra
36. ~~Shikhar~~
37. Shivaji Shikhar
38. ~~Shikhar~~
39. ~~Shikhar~~
40. S.S. Shikhar
41. Berbal
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प्राप्त प्राप्त मादक - रमण लय शमनाद्य

१७ सुगन्ध

RAM

12. S.K.Ray son of Late Sri B.B.Ray, T.No. 407/NSM
13. Rameshwar Singh son of Ram Ugrah Singh T.No. 180/NAPS
14. S.K.Tiwari son of Sri D.P.Tiwari T.No. 285/NSM
15. Sheo Kumar son of Sri Shiv Prasad Vaisya T.No.171/NAPS
16. Rameshwar Singh son of Late Sri Jaga Singh T.No.190/NAPS
17. TaraChand son of Sri Brahma Deo Prasad T.No.217/NAPS
18. Mohd. Iqbal son of Sri Noor Mohammad T.No.223/NAPS
19. Ravi Shanker son of Omkar Nath T.No. 184/NSM
20. Kamlesh Sharma son of Sri Vishwanath Sharma
T.No.135/NSM
21. A.K.Khanna son of Late Suraj Prakash
T.No.221/NAPS
22. R.B.Sharma son of Sri Naresh Sharma
T.No.237/NSM
23. Bhan Kinkar Pandey son of Late Ram Lotan
Pandey T.No. 300/NSM
24. Jai Chandra son of Sri Bhagirathi T.No.
386/NSM
25. Mahabir Singh son of Sri Basdeo Singh
T.No. 115/NSM
26. Sarvadeo, Singh son of Sri Ram Harakh
Singh T.No. 244/NAPS
27. Keshar Singh son of Gurudas Singh T.No.
246/NAPS.

31. P. S. Singh
32. Ram Singh
33. Ram Singh
34. U. S. Singh
35. P. S. Singh
36. U. S. Singh
37. P. S. Singh
38. P. S. Singh
39. P. S. Singh
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53. P. S. Singh
54. P. S. Singh
55. P. S. Singh

246/NAPS.

पतिनाथ यादव

सुगंध

रामनाथ

R. B.

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28. Bankey Lal son of Mathura Prasad T.No. 422/NSM
29. Anirudh Lal son of Late Sri Ranjit Bahadur T.No. 419/NSM
30. Abdul Ravf son of Late Sri Abdul Gafoor, T.No. 349/NSM
31. Shri Kumar Pal son of Sri Manni Lal Pal T.No. 282/NSM
32. Shamim Ahmad son of Sri Nasiruddin T.No. 405/NSM
33. Ram Baboo son of Sri Sooraj Bali T.No. 416/NSM
34. Vishnu Sharma son of Late Sri Baboo Ram T.No. 266/NSM
35. Puran Mishra son of Sri Badri Prasad T.No. 414/NSM
36. Pramod Kumar son of Shri Ram Charan T.No. 318/NSM
37. Shivaji Palit son of Late Sri S.K. Palit T.No. 539/NSM
38. M.M. Bhatia son of Late Sri P.L. Bhatia T.No. 540/NSM
39. Irshad Ilahi son of Sri Kasam Ilahi T.No. 550/NSM
40. Shri Shiv Shanker son of Sri Kashi Prasad T.No. 561/NSM
41. Birbal Prasad son of Sri Ram Khetawan T.No. 639/NSM
42. Vishwanath Yadava son of Sri Bahal Yadav T.No. 320/NSM
43. Nandeshwar son of Sri Bharo Prasad T. No. 606/NSM

31. Duggan Lal
32. Kanti Lal
33. Ram Babu
34. K. S. S.
35. Pooch Chaudhary
36. S. S. S.
37. Shri Lal Prasad
38. Bhatia
39. S. S. S.
40. S. S. S.
41. Birbal
42. V. S. S.
43. S. S. S.
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54. S. S. S.
55. S. S. S.

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Handwritten notes at the bottom center, including the name 'Sagar' and other illegible text.

44. K.N. Mishra son of Sri Prem Narain Mishra T.No. 333/NAPS
45. Ram Murti son of Late Sri Balak Ram T.No. 603/NSM
46. Narsingh Narain son of Late Shri Ram Chhewar Misra
T.No. 230/APS
47. Lala Ram Jha son of Late Shri Dhani Ram Jha T.No.
368/NAPS
48. Sheo Kumar son of Shri Ram Sashrey T.No. 335/NAPS
49. O.P. Savita son of Sri Ram Dev T.No. 156/NAPS
50. Janardan Yadav son of Sri Raj Bali Yadav T.No. 312/SM
51. S.P. Singh son of Shri M. Singh T.No. 670/NSM
52. D. Chakarborti son of Late Shri P.K.
Chakemorty T.No. 785/NSM
53. R.K. Paul son of Late Shri Sadanand Paul
T.No. 630/NSM
54. C.K. Misra son of Sri U.K. Misra T.No.
17/SM
55. Paras Nath son of Sri Bola Nath Yadav
T.No. 172/NAPS
56. Baloo son of Sri Hibib T.No. 338/NSM
57. Gangadhar son of Bpendra Chand Prasad
T.No. 118/NAPS
58. M.M. Siddiqui son of M.N. Azim T.No.
119/NAPS

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65. Shroton

16. रोशन (PTE)

12. Tarachand P.O.

18. Jagan

19. रविशंकर

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28. अतलमाल

29. राजगुरु

30. Army

0/NSM

31. Shagun
32. Ram
33. Ram
34. 2000
35. Passen Chandram
36. Ying
37. Shivaji
38. Chhatra
39. 2000
40. S.S. Suresh
41. Birbel
42. Ying
43. 2000
44. 2000
45. Shivaji
46. Shivaji
47. 2000
48. Shivaji
49. 2000
50. Shivaji
51. 2000
52. 2000
53. 2000
54. 2000
55. 2000

उपस्थित
मानव विकास

पाणि नाना साधक ————— रागनाथ

५१ विनोद ३६ Dargachandani M R B

59. Munne son of Rahim B_aksh T.No. 69/NAPS
60. Ram Nath son of Pusa Lal T.No. 412/NAPS
61. Ganga Prasad Yadav son of Sri Nankhoo Yadav T.No. 644/NSM
62. Jai Prakash son of Shri Tulsi Ram T.No.239/NSM
63. Hasmat Ali son of Sri Mohd. Shafi T.No.580/NSM
64. Ram Baha^our son of Sri Shiv Mohan Yadav T.No.386/NAPS
65. Virendra Kumar Srivastava son of Shri Laxmi Sarran Srivastava T.No. 356/NAPS
66. Dalbir Singh son of Shri Man Singh T.No. 242/NAPS

.....Applicants

Versus

1. The Chairman, Ordnance Factory Board,
10-A Auckland Road, Calcutta-700001.
2. General Manager, Ordnance Factory Board,
Kalpi Road, Kanpur.
3. Union of India, through Secretary, Ministry
of Defence New Delhi.

.....Respondents

1. PARTICULARS OF THE ORDER AGAINST WHICH
APPLICATION IS MADE :-

That the present application is

रामनाथ

R.B.