

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 15th day of April 2002.

Original Application no. 324 of 1994.

Hon'ble Mr. Justice RRK Trivedi, VC
Hon'ble Maj Gen KK Srivastava, AM

1. Raja Ram, S/o Late Maiku Lal,
T No. 329 Barel, R/o 62/88 Harbans
Muhal, Kanpur.
2. Sardul Singh, S/o late S.B. Singh,
T no. 35/NTR, R/o Plot no. 55 Labour
Colony, Govind Nagar, Kanpur.
3. Uma Shanker Singh, S/o late Baliraj Singh,
T no. 4 barel 747/5 Maswanpur, Kanpur.
4. Chanchal Singh, S/o late B.D. Singh,
T no. 78/Barel R/o 23/3 Charan Singh Colony,
Govind Nagar, Kanpur.
5. Pauhari Singh, S/o Sri R Singh, T No. 253/Barel,
R/o 122/10 Vijay Nagar Kanpur.
6. Ram Gopal Gupta, S/o late Manni Lal Gupta,
T no. 16/B R/o 1/30 Vijay Nagar Teen Road Camp,
Kanpur.
7. Mohammad Ahmad, S/o Late Rasool Ahmad, T no. 333/B,
R/o 97/57 Talak Muhal, Kanpur
8. Mahangu S/o Late Lacchhaman, T no. 302/Barel,
R/o 17/4 Juhi Lal Colony, Kanpur.
9. Mewa Lal, S/o Late Baboo Lal, T no. 313/Barel
R/o Plot No. 679, Shanti Market, Maswanpur,
Kanpur.
10. Shamley Singh, S/o S.B. Singh, T no. 98/Barel,
R/o G II 102 Armadpur Estate, Kanpur.

... Applicants.

By Adv : Sri V. Nath

 ...2/-

2.

V E R S U S

1. Chairman, Ordnance Factory Board, 10 Auckland Road, Calcutta.
2. General Manager Small Arms Factory, Kanpur.
3. Union of India through Secretary Ministry of Defence, New Delhi.
4. Shanti Swaroop T no. 65/J
5. LC Pandey, Tno. 41/NTR
6. HR Singh, T no. 19/Mag
7. R.S. Verma, T no. 185/J
8. Dubri Prasad (SC) T no. 5/Maj
9. Sarnam Singh T no. 18/CA
10. Raj Narain T no. 12/Maj
11. Sri Krishna T no. 151/B
12. Arjun T no. 138/Maj
13. P.N. Singh, T no. 55/CA
14. Alimuddin T no. 80/J
15. Mohd. Uasin T. no. 156/J
16. Ram Krishan T no. 149/J
17. Ramhit (SC) T. No. 140/J
18. Bhajan Lal, T.no. 134/J
19. Banshi Lal, T no. 153/Maj

Press Operators, Small Arms Factory, Kanpur.

...Respondents

By Adv : Sri Ashok Mohiley

O R D E R

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

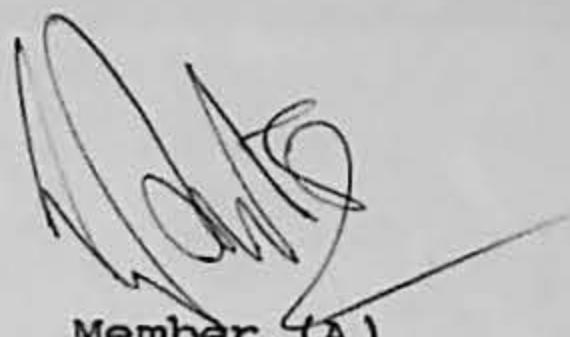
By this OA, filed under section 19 of A.T. Act, 1985, the applicants have prayed that the applicants who were Machinist Skilled be upgraded and placed as Machinist Highly Skilled Grade II with effect from 16.10.1981 and all consequential benefits be awarded to them and in any case from 24.9.1992 from which date the Press Operators have been promoted.

3.

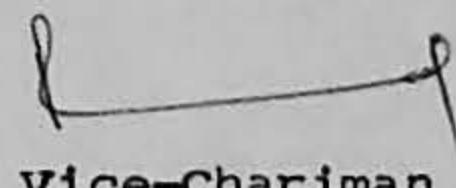
2. Sri A. Mohiley, learned counsel for the respondents has submitted that this controversy has already been examined by Principal Bench of this Tribunal and the claim of the applicants have been dismissed on the ground of limitation. Copy of the judgment has been filed as Annexure 9 to the counter affidavit. From the perusal of order dated 12.10.1995 passed in OA no. 1183 of 1994 by the Principal Bench of this Tribunal it appears that the OA was filed by the Association of the Machinist working in Ordnance Factory, Muradnagar and one Shri Nand Lal. The Tribunal after detailed discussion dismissed the OA on the ground of delay and laches alone. Learned counsel for the applicant has not been able to place any other judgment of superior Court by which the judgment of Principal Bench may have been set aside.

3. ^{as} In the circumstances ^{as} the order has become final between the parties, ^{also} and this OA is ^{also} liable to be dismissed. The OA is accordingly dismissed.

4. There shall be no order as to costs.



Member (A)



Vice-Chairman

/pc/