

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1021 of 1994

Aligarh this the 06th day of September, 2000

Hon'ble Mr.S. Dayal, Member (A)
Hon'ble Mr.S.K.I. Naqvi, Member (J)

Vijay Shankar Tondon, Son of Late Sri Prem Shankar, Tondon, Resident of Banglow No.-9-A/II, Defence Colony, Bhagwan Das Ghat, Kanpur-208001.

Applicant

By Advocate Shri Shirish Chandra

Versus

1. Union of India through the Secretary, Ministry of Defence, New Delhi.
2. Chairman/Director General Ordnance Factory Board, 10-Auckland Road, Calcutta.
3. The General Manager, Ordnance Equipment Factory, Kanpur-208001.

Respondents

By Advocate Shri Amit Sthalekar

O R D E R (Oral)

By Hon'ble Mr.S. Dayal, Member (A)

This application has been filed for direction to the respondents to set aside the letter dated 30.7.93/03.8.93 alongwith seniority list as far as the applicant is concerned showing the date of holding the post of Chargeman Grade I w.e.f. 14.8.92. He also sought direction to the

respondents to decide representations made on 08.6.92 and 03.9.93 and promote the applicant to the post of Chargeman Grade II w.e.f. 09.11.81 as Assistant Store Holder w.e.f. 26.11.81 and Store Holder w.e.f. 31.10.90 , with consequential and retiral benefits.

2. The case of the applicant is that he was appointed as Supervisor Grade 'B' on 10.5.1968 in A.F.D. Factory, Hazratpur, which was closed on 01.4.77. The applicant was absorbed in DGOF Organisation on the post of Supervisor Grade 'A' and posted at Ordnance Factory, Chanda. The applicant was transferred from AFD Factory, Hazratpur to Ordnance Equipment Factory, Kanpur as Supervisor Grade 'A'. A Central Seniority List was published on 25.9.78, in which the name of the applicant was not shown. The applicant made a representation to include his name in the Central Seniority List of Supervisor Grade 'A'. The applicants claims to be promoted to Chargeman Grade II on 28.3.1994 on the basis of local seniority. The Central Seniority List of Grade 'A' was amended by the order dated 19.5.1992 and the applicant was placed at serial no.252-A between Shri J.P. Saxena-at serial no.252 and Shri Abdul Salam-at serial no.253. It is the claim of the applicant that he was not allowed promotions on the basis of amended seniority list of Supervisor Grade 'A'. He should have been given promotion to Chargeman Grade II, Chargeman Grade I and Store Holder w.e.f. 01.9.79, 26.11.81 and 31.10.90 respectively on the basis of promotion granted to Shri Abdul Salam as far as first two

His concerned and Shri K.N. Sharma who is just below to him as far as promotion to the post of Store Holder is concerned, because Shri Abdul Salam had retired in August, 1987. The applicant made representations in 1992, 1993 and 1994, which remained un replied. We find that the representation dated 11.4.1994 is comprehensive although representations dated 08.6.1992, 25.8.93 and 03.9.93 also contained the same request.

3. We are of the opinion that the respondents should be given a time bound direction to decide the representation of the applicant and grant him notional promotion, if his representation is acceded to, on notional basis and give him benefit in his retiral dues.

4. The respondent no.2 is, thus, directed to dispose of the representation dated 11.4.94 by reasoned and speaking order, within a period of 3 months from the date of furnishing a copy of this order alongwith copy of the representation by the applicant. There shall be no order as to costs. The O.A. is disposed of accordingly.

[Signature]
Member (J)

[Signature]
Member (A)

/M.M./