

OPEN COURT

CENTRAL ADMINIATRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.405 OF 1995
ALLAHABAD THIS THE 3RD DAY OF JANUARY,2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI,V.C.
HON'BLE MAJ GEN. K.K. SRIVASTAVA,A.M.

1. Arun Kumar Srivastava (Diploma)
Son of Late N.P. Srivastava,
Working as Chargeman-II (Ex. D'Man/O.F.C.),
in the section VETTING CELL,
Small Arms Factory,
KANPUR.
2. Kailash Kumar (DMT),
Son of Shri Parmanand,
Working as Chargeman-I in the
Section DESIGN OFFICE,
Small Arms Factory,
KANPUR.
3. S.K. Chaudhury (DMT)
Son of Late K.M. Chaudhury,
Working as Chargeman-II in the
Section DESIGN OFFICE,
Small Arms Factory,
KANPUR.
4. V.N. Mukherjee (Diploma)
Son of Shri B.D. Mukherjee,
Working as Chargeman-II in the
Section GMS, Small Arms Factory,
Kanpur.
5. R.K. Newton (Diploma)
Son of Shri C.W. Newton,
Working as Chargeman-II,
in the Section DESIGN OFFICE,
Small Arms Factory,
KANPUR.
6. J.S. Dikshit (Diploma),
Son of Late B. Dikshit,
Working as Chargeman-II,
in the Section E.N. Office,
Small Arms Factory,
KANPUR.
7. S.P. Srivastava (ITI)
S/o Shri P.N. Srivastava,
Working as Chargeman-II,
in the Section DESIGN OFFICE,
Small Arms Factory,
KANPUR.
8. S.S. Prasad (Diploma)
Son of Shri G.S. Prasad,
Working as Chargeman-II,
in the Section Design Office,
Small Arms Factory,
KANPUR.
9. Surendra Kumar (ITI),
Son of Shri K.D. Bakshi,
Working as Chargeman-II,
in the Section DESIGN OFFICE,
Small Arms Factory,
KANPUR.

10. R.R. Gupta (Diploma),
Son of Late R.N. Gupta,
Working as Chargeman-II,
in the Section Design Office,
Small Arms Factory,
KANPUR.
11. Ram Swaroop (ITI),
Son of Shri Kalloo
Working as Chargeman-II,
in the Section Design Office,
Small Arms Factory,
KANPUR.
12. S.K. Mishra (Diploma),
Son of Late R.G. Mishra,
Working as Chargeman-II,
In the Section Design Office,
Small Arms Factory,
KANPUR.
13. L.S. Chawla (DMT),
Son of Shri Mohal Singh,
Working as Chargeman-II,
in the Section Q.A. Cell,
Ordnance Factory,
Murad Nagar,
Ghaziabad.
14. D.R. Arora (DMT),
Son of Late Ashanand,
Working as Chargeman-II,
in the Section DRAWING OFFICE,
Ordnance Factory Murad Nagar,
Ghaziabad.
15. Ram Prakash (Diploma),
S/o Late Roshan Lal,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Factory,
Murad Nagar,
Ghaziabad.
16. Kali Charan (Diploma),
S/o Shri R.L. Sharam,
Working as Chargeman-II,
in the Section DRAWING OFFICE,
ORDNANCE FACTORY, Murad Nagar,
Ghaziabad.
17. R.R. Ram (DMT),
W/o Late B.N. Ram,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Equipment Factory,
Kanpur.
18. Dinesh Kumar (Diploma)
S/o Late Babu Ram,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Equipment Factory,
Kanpur.
19. Dharmendra Kumar (Diploma),
S/o Shri Ram Prasad,
Working as Chargeman-II,
in the Section R.D. Cell,
Ordnance Factory,
Muradnagar.

20. Ghanshyam (Diploma),
S/o Late M.L. Sharam,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Factory,
Muradnagar,
21. Satya Bhan, (Diploma),
S/o Late Betal Singh,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Factory,
Kuradhnagar.
22. P.K. Bhattacharya (Diploma),
S/o Shri S.N. Bhattacharya,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Factory Muradnagar.
23. V.K. Kakkar (ITI),
S/o Shri S.R. Kakkar,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Equipment Factory,
Kanpur.
24. Hari Shankar (ITI)
S/o Shri Shadhu Ram,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Factory, Kanpur.
25. P.K. Rao (Diploma)
Son of Shri S.B. Singh,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Factory,
Muradnagar.
26. V.K. Bahuguna (Diploma),
Son of Shri Hari Datt,
in the Section Drawing Office,
Ordnance Factory,
Muradnangar.
27. Devendra Singh (Diploma),
S/o Shri Jivan Singh,
Working as Chargeman-II,
in the Section P & P Office,
Ordnance Factory,
Muradnagar.
28. Bikash Kunda (Diploma),
S/o Shri B.L. Kundu,
Working as Chargeman-II,
in the Section Drawing Office,
Ordnance Equipment Factory,
Kanpur.
29. R.S. Srivastava (ITI),
S/o Shri S.P. Srivastava,
Working as Chargeman-II,
in the Section H.R.O.,
Ordnance Equipment Factory,
Kanpur.

30. P.N. Dwivedi (ITI),
S/o Late S.N. Dwivedi,
Working as Chargeman-II,
in the Section Engineering Office,
Ordnance Equipment Factory,
Kanpur.
31. B.N. Mondal (DMT),
S/o D.D. Mondal,
Working as Chargeman-II,
in the Section P.V., F.G.E. Factory,
Kanpur.
32. M.L. Ram (ITI)
Son of Late S.P. Ram,
Working as Chargeman-II,
in the Section W.O.,
Field Gun Factory,
Kanpur.
33. B.K. Sarkar (DMT),
S/o Late N.S. Sarkar,
Working as Chargeman-II,
in the Section P&P Field Gun Factory,
Kanpur.
34. Baikunth Jha (DMT),
Son of Shri Saryug Jha,
Working as Chargeman-II,
in the Section DESIGN OFFICE,
Field Gun Factory,
Kanpur.
35. S.K. Majumdar, (DMT)
S/o Late R.N. Majumdar,
Working as Chargeman-II,
in the Section C.T. Field Gun Factory,
Kanpur.
36. S.N. Chandra (DMT),
S/o Late S.K. Chandra,
Working as Chargeman-II,
in the Section DESIGN OFFICE,
Field Gun Factory,
Kanpur.
37. N.K. Srivastava (ITI),
S/o Shri M.L. Srivastava,
Working as Chargeman-II,
in the Section DESIGN OFFICE,
Field Gun Factory,
Kanpur.
38. O.P. Pandey (DMT),
S/o Late R.B. Pandey,
Working as Chargeman-II,
in the Section C.T. Field Gun Factory,
Kanpur.
39. P.C. Deb (ITI),
S/o P.C. Deb,
Working as Chargeman-II,
in the Section G.T. Field Gun Factory,
Kanpur.
40. R.K. Verma (ITI),
S/o Shri R.L. Verma,
Working as Chargeman-II,
in the Section PROJECT CELL,
Field Gun Factory, Kanpur.

41. Jasbir Singh (ITI),
S/o Shri Prem Singh,
Working as Chargeman-II,
in the Section S.O. Field Gun Factory,
Kanpur.
42. Chhedi Lal (ITI),
S/o Shri Satya Narayan,
Working as Chargeman-II,
in the Section Design Office,
Field Gun Factory,
Kanpur.
43. S. Chakraborty (ITI),
S/o Shri S.C. Chakraborty,
Working as Chargeman-II,
in the Section Design Office,
Field Gun Factory,
Kanpur.
44. Vinod Dayal, (ITI),
S/o Shri R. Dayal,
Working as Chargeman-II,
in the Section Design Office,
Field Gun Factory,
Kanpur.
45. R.K. Rahatgi (ITI),
S/o Late J.N. Rohtagi,
Working as Chargeman-II,
in the Section Design Office,
Field Gun Factory,
Kanpur.
46. V.K. Kukreti (ITI),
S/o Shri C.R. Kukreti,
Working as Chargeman-II,
in the Section Design Office,
Field Gun Factory,
Kanpur.
47. Shyam Swaroop (ITI),
S/o Shri Kalloo,
Working as Chargeman-II,
in the Section Design Office,
Field Gun Factory,
Kanpur.
48. S.K. Yadav (Diploma),
S/o Late G.P. Yadav,
Working as Chargeman-II,
in the Section M.M.E.,
Field Gun Factory,
Kanpur.
49. Abdul Gaffar (Diploma),
S/o Abdul Sattar,
Working as Chargeman-II,
in the Section M.M.M. Field Gun Factory,
Kanpur. Applicants.

(By Advocate Shri A.K. Gupta) (Absent)

Versus

1. Union of India,
through Secretary,
Ministry of Defence,
Bina Bhawan,
New Delhi.

2. Chairman/Director General,
Ordnance Factory Board,
Ordnance Factory Board No.10A,
Auckland Road,
Calcutta-700 001.
3. General Manager,
Ordnance Factory,
Kanpur.
4. General Manager,
Small Arms Factory,
Kanpur.
5. The General Manager,
Field Gun Factory,
Kanpur.
6. General Manager,
Ordnance Equipment Factory,
Kanpur.
7. General Manager,
Ordnance Factory,
Muradnagar,
Ghaziabad.

.....Respondents

(By Advocate : Km. S. Srivastava)
Shri A. Mohiley

ORDER

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN

By this O.A. under Section 19 of Administrative Tribunals Act 1985, the applicants have prayed for a direction to the respondents to give scale of Rs.425-700/- to the applicants which is equivalent to the pay scale of Draftsman Grade-II of the Central Public Works Department nationally with effect from 13.05.1982 and actually with effect from 01.11.1983 with consequential benefits, as awarded by Jabalpur Bench of this Tribunal in T.A. No.111 of 1986 and O.A. No.87 of 1986, O.A. No.246 of 1988 and ^{which} has been confirmed by the Hon'ble Supreme Court.

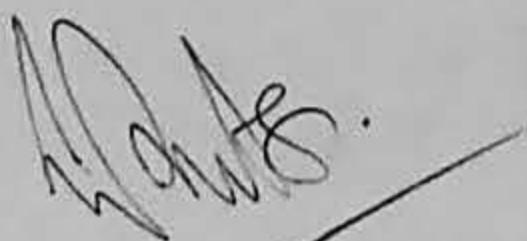
2. Learned counsel for the respondents has submitted that reliefs claimed in this O.A. have been granted to the applicants by the respondents under order of Ministry of Defence, uniformly throughout country. For this purpose Shri Ashok



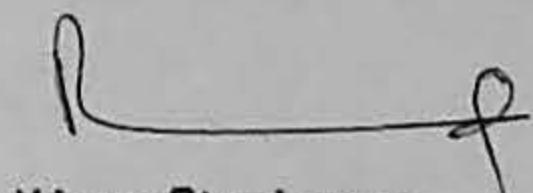
.....7/-

Mohiley, learned counsel for the respondents invited our attention to the Supplementary Affidavit filed on 24.10.1997 in para 12 whereof it has been stated that the orders issued by the Ministry of Defence dated 01.07.1996 were in-compliance of the judgement of the Hon'ble Supreme Court Dated 20.07.1995 in Civil Appeal No.1433 of 1995 and Civil Appeal Nos.2124-33/1993, SLP (C)No.8393-94/87/22016/93, and Review petitions nos.857-58/91. Thus, the correct scale has been paid to all the applicants and in the circumstances the O.A. has been rendered infructuous, the O.A. is accordingly dismissed as infructuous.

3. There will be no order as to costs.



Member-A



Vice-Chairman

/Anand/