

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 27th February, 2004.

QUORUM : HON. MR. A.K. BHATNAGAR, J.M.
HON. MR. D. R. TIWARI, A.M.

O.A. No. 811 of 1999

1. Muneer Ahmad, aged about 49 years S/O Late Idda R/O Moh. Baruzai, Peshawari, Shahjahanpur, Tailor skilled, Ticket No.11905/P, P-4-C Section, Ordnance Clothing Factory, Shahjahanpur.
2. Shakeel Ahmad, a/a 40 years S/O Late Rafi Ahmad Khan R/O Emanzai Jalal Nagar, Shahjahanpur, Tailor Skilled, Ticket No.12334/P, P-4A Section Ordnance Factory, Shahjahanpur.
3. Syed Sajjad Hussain a/a 40 years S/O Late Syed Ashfaq Hussain R/O Baruzai Peshwari, Shahjahanpur, Tailor Skilled Ticket No.12341/P, P-4C Section, Ordnance Clothing Factory Shahjahanpur.
4. Ishtiaq Husain, a/a 41 years S/O Late Maula Bux R/O Moh. Chowk Alla Khan, Shahjahanpur, Tailor Skilled, Ticket No. 12344/P, P-5G, Section, Ordnance Clothing Factory, Shahjahanpur.
5. Rajendra Prasad, a/a 43 years S/O Sri Lekh Raj, Tailor Skilled, Ticket No.12378/P, P-7-II G Section, Ordnance Clothing Factory, Shahjahanpur.
6. Ehetesham Ali Khan, a/a 41 years S/O Late Ishtiaq Ali Khan R/O Moh. Bahadurganj, Shahjahanpur, Tailor Skilled, Ticket No.12907/P, P-4-A Section, Ordnance Clothing Factory, Shahjahanpur.
7. Surendra Kumar Saxena, a/a 37 years S/O Late Om Prakash Saxena, Tailor Skilled, Ticket No.13367/P, P-4-C Section, Ordnance Clothing Factory, Shahjahanpur.
8. Anil Kumar Rastogi, a/a 38 years S/O Sri Daya Nand Rastogi, Tailor Skilled, Ticket No.13368/P, P-3 Cutting Shop Section, Ordnance Clothing Factory, Shahjahanpur.
9. Anupam Gupta, a/a 38 years S/O Late Om Behari Lal, R/O Moh. Sadar Bazar, Shahjahanpur, Tailor Skilled, Ticket No.13569/P, P-4A Section, Ordnance Clothing Factory, Shahjahanpur.....
.....Applicants.

Counsel for applicants : Sri M. Lal.

Versus

1. Union of India through the Secretary, Ministry of Defence, Production, New Delhi.
2. The Additional Director General, Ordnance Factories, Ordnance Equipment Factories Group Head Quarters, G.T. Road, Kanpur.

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3. The General Manager, Ordnance Clothing Factory,
Shahjahanpur.

Respondents

Counsel for Respondents : Shri A. Sthalekar

O R D E R (Oral)

By Hon. Mr. A. K. Bhatnagar, Member (J)

By this O.A., applicants have prayed for a direction to restore the applicants to the post of Examiner as Day Worker with continuity benefit of service of 3-4 years already rendered by the applicants. They have further prayed for a direction to confirm quasi-permanency to the applicants as per rule in the trade~~grade~~ of examiners since they have completed 3 years service as Examiner.

2. Counsel for the applicants submitted that the applicants, 9 in numbers, have been working on the post of Tailor in the respondent's establishment since long time. It is submitted by the applicant's counsel that the applicants have worked on the post of Examiner on the internal arrangement by the department. It is admitted that there is no discrepancy of pay in the post of Tailor or Examiner. The only grievance of the applicants is that they have been reverted as Tailors in 1998 (Annexure-A-2). Learned counsel for respondents submitted that they were initially appointed to the post of Tailor and work of examiner was assigned to them for a short time as internal arrangement by the deptt. It is also submitted that applicants were neither promoted nor there was any change of scale.

3. We have heard counsel for the parties and perused the pleadings and after considering all the submissions, we are of the view that this O.A. can be disposed of by issuing direction to the respondents for considering the prayer of the applicants in redesignating them as Examiner whenever

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there is vacancy, keeping in view the services rendered by them on the post of Examiner previously, as per rules.

4. The O.A. is disposed of accordingly with direction to the respondents to consider the prayer of the applicants in redesignating them as Examiner whenever there is vacancy keeping in view the services rendered by them on the post of Examiner, as per rules. There will be no order as to costs.



Member (A)



Member (J)

Asthana/