

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 21st DECEMBER, 2000

Original Application No.1413 of 2000

CORAM:

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

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

UDSK 3966266 Nain Singh, s/o Shri Jahan Singh
aged about 59 years, R/o military Farm
Meerut.

...Applicant

(By Adv: Shri K.P.Singh)

Versus

1. Union of India through the Secretary
Ministry of Defence,
New Delhi.
2. Quarter Master General
QMG's Branch, Army Hqs
New Delhi
3. Adjutant General QMG Branch
Army Hqs New Delhi.
4. Deputy Director General Military
Farm, QMG branch, West Block III
R.K.Puram, New Delhi.
5. V.P.Singh, Dy. Director General
Military Farm, R.K.Puram, West Block III
New Delhi.

... Respondents

(By Adv: shri Rajiv Sharma)

O R D E R (Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

By this application u/s 19 of A.T.Act 1985 the applicant has challenged the orders dated 8.12.2000, 29.11.2000 & 21.10.2000. By order dated 8.12.2000 applicant has been directed to hand over the charge of the Store Section and he has been advised to be ready to move on the expiry of the notice period. By order dated 29.11.2000 the Cadre of the Store Keepers in Military Farms have been abolished. The notice has been given to ensure proper check on stocks. The charge of store sections at all farms where store keepers do not opt to accept lower post in the department by 4 December 2000 will

be handed over to Supervisory staff. Deficiency if any in stock will be promptly reported for necessary action. It is also provided to keep the Store Keepers ready to move on expiry of notice for taking over their charge by 15.12.2000.

By order dated 21.10.2000 it has been directed to obtain willingness certificate and complete academic qualifications from the Store keepers as they were to be adjusted on some alternative posts. Against the order dated 21.10.2000 applicant filed OA No.1319/2000 in this Tribunal which was disposed of by the following order:-

"Shri K.P.Singh for the applicants.

We have heard the learned counsel for the applicants.

This application has been filed for setting aside the order dated 21.October,2000 by which notices have been given to various officials working as Store-Keepers for adjustment of surplus Store-keepers.

In response to the letter dated 21.10.2000, the applicants have filed representations with the Quarter Master General, New Delhi stating their grievance against the order dated 21st October,2000.

It appears that the applicants have filed individual representations as per rules. However, in order to facilitate their consideration by the Quarter Master General we consider it in the interest of justice to direct the Quarter Master General to consider a consolidated representation to be filed by the applicants within a period of one week from today and decide the same by a reasoned order within one month thereafter. There shall be no order as

to costs. The application is disposed of at the admission stage with the above direction."

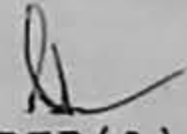
It is not disputed that the representation has been filed by the applicant which is still pending and the time limit provided by the order of this Tribunal had not yet expired. The applicant has filed this fresh OA challenging the same order together with two more orders which appear to be of consequential nature.

Shri Raajiv Sharma learned counsel appearing for the respondents has submitted that applicant has been posted in the same city on an alternative job with full pay protection and the applicant has not put to any disadvantage by the impugned orders.

We have considered the submissions of the counsel for the parties and also perused the relevant material. It appears that the abolition of the posts of Store keepers and other posts in the Military Farm were already in discussion since 1998. The steps have been taken as a policy matter with which this Tribunal should not interfere. The applicants had already approached this Tribunal and obtained a direction to the Authorities to decide this representation. The period has not yet expired.

In the circumstances, the filing of this second OA is not justified. We do not find the applicant entitled for any relief. The application is accordingly rejected.

There will be no order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 21.12.2000

Uv/