

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 697 of 2002

Allahabad this the 01st day of May, 2003

Hon'ble Maj Gen K.K. Srivastava, Member (A)
Hon'ble Mr.A.K. Bhatnagar, Member (J)

O.P. Srivastava, Ex-Chargeman Gr.I/OFM, Defence
Colony, Muradnagar, District Ghaziabad(U.P.)

Applicant

By Advocate Shri Y.K. Srivastava

Versus

1. Union of India through The Director General/
Chairman, Ordnance Factories(OFB), No.10-Auckland
Road, Calcutta(West Bengal).
2. The Secretary, Ordnance Factory Board, 10-A,
Auckland Road, Calcutta-700001.
3. The General Manager, Ordnance Factory, Muradnagar,
District Ghaziabad, U.P.

Respondents

By Advocate Shri V.V. Misra

O R D E R (Oral)

By Hon'ble Maj Gen K.K. Srivastava, Member (A)

This O.A. has been filed under Section 19
of the Administrative Tribunals Act, 1985 ^{praying for} ~~with~~ the
following reliefs;

- a. to mandate the respondents to settle the
grievance of the applicant regarding his
promotion as Asstt. Foreman(Mech.) finally.
- b. to mandate the respondents to promote the
applicant as Asst. Foreman(Mech.) for which
he was cleared by the review D.P.C. dt.23.5.94
and 30.5.94 with all consequential benefits.

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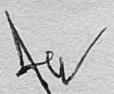
C. to direct the respondents to re-fix the terminal benefits of the applicant after granting him promotion as Asstt. Foreman(Mech.)."

Earlier also the applicant had filed an O.A.No.134/99 with the same reliefs, which was decided by the order dated 25.08.99. Following order was passed :

"The original application was filed for quashing the letter dated 22.07.97 for direction to the respondents to settle the grievances of the applicant regarding his promotion as Asstt. Foreman (Mechanical) for which the applicant was cleared by D.P.C. dt.23.05.94 and 30.05.94 with consequential benefits and refixation of terminal benefits.

In the C.A. filed by learned counsel for the respondents, it has been mentioned that the applicant has been granted notional seniority with effect from 07.05.1993 as claimed by him. This may explain the reason for the applicant's absence. The application is, therefore, dismissed in default and for non-prosecution."

2. In the present O.A. also the applicant has claimed the similar reliefs regarding his promotion as Assistant Foreman(Mechanical) for which the applicant was cleared by the D.P.C. dated 23.05.94 and 30.05.94. The O.A. No.134/99 was dismissed in default and for non-prosecution by order dated 25.08.99. This order has become final as no restoration has been filed by the applicant. In this view of the matter, the present O.A. is not maintainable. The O.A. is accordingly dismissed. No order as to costs.


Member (J)


Member (A)

/M.M. |