

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALAHABAD BENCH, ALAHABAD**

Allahabad, this the **21st** day of **August**, 2014

Present :

**Hon'ble Mr. Justice S.S. Tiwari, Member-J
Hon'ble Mr. U.K. Bansal, Member-A**

Original Application No.1338 of 2003

1. Parachute Factory Employees' Union, Kanpur, a Registered Trade Union, having its office at 11/42(15), Krishna Nagar, Kanpur, through its General Secretary Shri S.K. Sahoo, Tailor, HS, Ordnance Parachute Factory, Kanpur.
2. Parachute Rashtriya Mazdoor Sangh, Kanpur, a Registered Trade Union, having its office at 2, Naveen Market, Kanpur, through its General Secretary Shri Shiv Kumar Sharma, Tailor Master Craftsman, Ordnance Parachute Factory, Kanpur.
3. Rashtriya Suraksha Karmachari Union, Kanpur, a Registered Trade Union, having its office at CLD/726, K.D.A. Colony, C-Block, Panki, Kanpur, through its General Secretary Shri Indra Dev Rai, Examiner Machinist, Ordnance Parachute Factory, Kanpur.
4. Shri Rajeev Kumar Parashar, aged about 38 years, son of Shri R.S. Lal Parashar, employed as Tailor Highly Skilled, Ordnance Parachute Factory, Kanpur.
5. Shri Rupinder Singh, aged about 45 years, son of Late Asha Singh, employed as Tailor Master Craftsman, Ordnance Parachute Factory, Kanpur

.....Applicants.

By Advocate – Shri M.K. Upadhyay

V E R S U S

1. Union of India, through the Secretary, Ministry of Defence, Department of Defence Production & Supplies, Government of India, New Delhi.

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2. The Chairman, Ordnance Factory Board/Director General of Ordnance Factories, 10-A, Shaheed Khudi Ram Bose Road, Kolkata-700001.
3. Principal Controller of Accounts (Fys), 10-A, Shaheed Khudi Ram Bose Road, Kolkata-700001.
4. Controller of Finance Accounts (Fys), Kanpur Group of Factories, O.E.F. Group Head Quarters, G.T. Road, Kanpur.
5. Assistant Controller of Finance & Accounts (Fys) (ACFA) (Fys), Office of the ACFA I/C Accounts Office, Ordnance Parachute Factory, Kanpur.
6. General Manager, Ordnance Parachute Factory, Kanpur.

.....Respondents.

By Advocate : Shri Himanshu Singh

O R D E R

By Hon'ble Mr. Justice S.S. Tiwari, J.M. :

Case called out. Shri M.K. Upadhyay, counsel for the applicant and Shri H. Singh, counsel for the respondents are present.

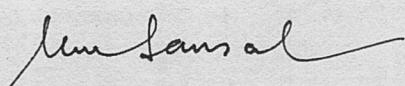
2. The respondents have filed supplementary affidavit dated 30.06.2014 on record. In para 08 of the supplementary affidavit, the respondents have submitted as follows :

“That from the averments made above it is thus clear that the matter was examined at OFB/MoD level and as per instructions, the recovery order has been taken back by the Accounts Office and payment of arrears of P.W profit to left over ACP beneficiaries were released by the ACFA/OPF, Kanpur.”

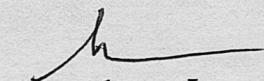


On the basis of aforesaid information, respondents' counsel has submitted that OA has become infructuous. By order dated 10.07.2014 the applicant was given an opportunity to file supplementary counter affidavit, if any, against the aforesaid averments and the aforesaid supplementary affidavit filed by the respondents. Learned counsel informs that he has not to file any supplementary counter affidavit to the aforesaid supplementary affidavit and on the basis of averment made by the respondents in para 08 of the supplementary affidavit, the OA may be disposed of as infructuous.

3. After considering the information made by the learned counsel for both the parties, we observe that the OA has become infructuous and accordingly it is dismissed. No order as to costs.



Member-A



Member-J

RKM/