

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 3rd DAY OF November 2009)

Hon'ble Mr. A.K. Gaur, Member (J)
Hon'ble Mr. D.C. Lakha Member (A)
.....

Original Application No.1236 of 2006
(U/S 19, Administrative Tribunal Act, 1985)

Lal Man, aged about 60 years, Son of Late Shri Girivar R/o 41-A, anand Nagar,
Jogaipurwa, Kanpur.

..... Applicant

Versus

1. Union of Indian through Secretary Ministry of Defence, New Delhi.
2. The General Manager, Ordnance Equipment Factory, Kanpur.
3. The Additional Director General, Ordnance Equipment Factory, Kanpur.

..... Respondents

Present for Applicant : Shri Rakesh Verma

Present for Respondents : Shri V.K. Pandey

ORDER

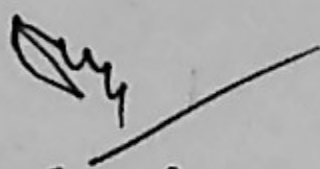
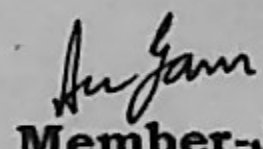
(Delivered by Hon'ble Mr. A.K. Gaur, J.M.)

We have heard Sri Rakesh Verma, learned counsel for the applicant
and Sri V.K. Pandey, learned counsel for the respondents.

2. Learned counsel for the applicant has filed Original Application
claiming extension of benefit of the judgment of this Tribunal dated
09.11.1995 passed in Original Application No.836 of 1990 (R.K. Tiwar & 4
Ors. Vs. Union of India & Ors.).

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3. Learned counsel for the respondents invited our attention to the paragraph nos. 15 and 16 of the Counter Affidavit and submitted that the applicant was not called for appointment in the year, 2004 as he had already attained the age of superannuation on 31.01.2003. Out of 14 selected candidates only 8, who reported for duty, were appointed to the post of Durwan in the year, 2004. In view of the clear and specific averments contained in the Counter Affidavit, we find no merits in the Original Application. Original Application is accordingly dismissed. No costs.

**Member-A****Member-J**

//Sushil//