

# O.A.Nos.87 of 2005

## ORDER DATED 10<sup>TH</sup> November, 2005.

In absence of the Applicant, we have heard Shri U.B. Mohapatra, learned Senior Standing Counsel appearing on behalf of the Union of India/Respondent-Department and perused the materials placed on record. Similar cases OA Nos. 83, 84, 110 and 1179 of 2005 of Mr.J.C.S.Ray were taken up. The said cases have also been disposed of yesterday by a separate common order.

2. Applicant is a technical employee of Ordnance Factory at Badmal in the District of Balangir of Orissa. The grievance raised in the present case was subject matter of consideration in this Tribunal in Original Application No.258/94 that was decided on 23.5.2000.

3. In the instant OA, the Applicant has also raised the same issue and sought for the same relief, as was sought for ~~in~~ in the earlier round of litigation referred to above. On perusal of the order dated 23.5.2000 rendered in O.A.No.258/94, we are convinced that the issue as has been raised in this case having been raised and set at rest by this Tribunal in an earlier round of litigation, the Applicant <sup>has</sup> ~~is~~ bound down himself by the same.

4. In the above view of the matter, we are of the considered view that this O.A is hit by the principles of constructive res judicata.

5. In the circumstances, this O.A. is dismissed. No costs.

*John*  
VICE-CHAIRMAN

*John*  
MEMBER (JUDICIAL)

