

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No.210 of 1996

Present: Hon'ble Dr. B.C. Sarma, Administrative Member  
Hon'ble Mr. D. Purakayastha, Judicial Member

BHASKAR GUPTA  
DILIP KUMAR MUKHOPADHYAY  
MUNNE KHAN

VS

1. Union of India, through  
the Secretary to the  
Government of India,  
Ministry of Defence, New Delhi
2. The Chairman/Director General  
Ordnance Factor Board,  
10A, Auckland Road  
Calcutta-1
3. The General Manager  
Vehicle Factory  
Jabalpur, M.P.
4. The General Manager,  
Gun Carriage Factory,  
Jabalpur
5. The General Manager,  
Ordnance Factor  
Khamaria, Jabalpur

For the Applicants: Mr. S.K. Dutta, counsel  
Mr. T.K. Biswas, counsel

For the Respondents: Mr. M.S. Banerjee, counsel

Heard on 5.3.1997

: :

Date of order: 5.3.1997

O R D E R

B.C. Sarma, AM

This applicatin has been filed by the applicants being aggrieved by the non-extension of the benefit of the judgment of this Tribunal passed in T.A. 1069/86 (Purnendu Mookherjee & Ors. v. Union of INDIA & Ors.) and also the judgment passed by the Hon'ble Apex Court on 5.8.93 in Civil Appeal No.2322/91. in the same matter and the judgment of this Tribunal in OA No.112/94 in the matter of Debdas Roychowdhury v. Union of India & Ors. by the respondent No.2. When the admission hearing of the matter was taken up today



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Mr. Banerjee, learned senior counsel submits that no reply has been filed as yet and he has received no instruction. However, our attention has been invited by Mr. Dutta to the para at p.40 of the application which runs as follows:

dismissed

"In the result this appeal fails and is dismissed with costs. It is, however, clarified that the placement of all those Supervisors Grade 'A' who came in the field of eligibility namely of securing less than 5% marks in aggregate fixed for selection as Chargeman Grade II, should be fixed by directing that they were selected for that post six months from the date of their graduation examinations."

The applicants contend that this criteria has been fulfilled in this case. Therefore, they are entitled to get the benefit.

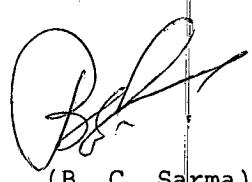
2. We have heard the submissions of the learned counsel of both sides and perused the records. Since this is a simple matter and adequate time has been given to the respondents to file reply and no reply has been forthcoming, we are of the view that it would be just and proper to dispose of the matter at the stage of admission itself with a suitable direction.

3. In view of the above the application is disposed of at the stage of admission itself with the direction that the respondents shall treat the instant application as a representation filed by the applicants and dispose it of by passing a speaking order as per rules within a period of four months from the date of communication of this order. If as a result of such consideration, the applicants are found entitled to get the benefit of this judgment, such benefit shall be given by the respondents within a period of two months from the date of taking such decision provided such benefit has not been given to them already. No costs.

  
(D. Purkayastha)

MEMBER (J)

5.3.1997

  
(B. C. Sarma)

MEMBER (A)

5.3.1997