

(4)
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

CAMP : NAGPUR

OA.NO. 843/89

Shri R.B.Tembhurne

... Applicant

vs.

Union of India & Ors.

... Respondents

CORAM: Hon'ble Vice Chairman Shri G.Sreedharan Nair
Hon'ble Member (A) Shri I.K.Rasgotra

Appearance

Mr.V.S.Yavalkar
Advocate
for the Applicant

Mr.Ramesh Darda
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 8.8.1990

(PER: G.Sreedharan Nair, Vice Chairman)

Heard counsel of the applicant as well as Advocate Mr. Ramesh Darda appearing for the respondents, pursuant to the notice issued at the stage of admission.

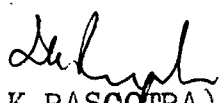
2. The applicant is a High Skilled Grade I (Fitter) attached to the Shell Machine Shop in the Ordnance Factory, Ambajhari. His grievance is that he is not being allotted the work as per his trade and grade. He prays for a direction to the respondents to pay him the difference of the rate of work between the rate of which he is entitled to and that which has been paid. ^{There} ~~It~~ is also a claim for overtime allowance.

3. In the reply filed on behalf of the respondents it is pointed out that earlier the applicant had made a representation for inter-sectional transfer but it could not be acceded to. It is stated that the overall out-turn of the applicant is lower in comparison to other workers of skilled/semi-skilled grade per shift on the same operation and that despite affording

of several opportunities he has not improved. It is stated that the overtime was stopped on that account but subsequently it has been restored. The respondents have also indicated that if the applicant would have worked as per cycle time, he will certainly earn his wages and something more.

4. After hearing counsel on either side, we are of the view that the grievance essentially relates to allotment of work which is a matter that is to be decided by the respondents taking into account the performance and the turn out of the applicant. It will not be open to this Tribunal to direct the respondents to allot any ^{particular} ~~or~~ work to the applicant, ~~as~~ ^{either qualitatively or quantitatively, as} prayed for by him. It follows that the claim for difference of pay has also to be repelled.

5. The application is rejected.


(I.K. RASGOTRA)
MEMBER (A) 8/990


(G. SREEDHARAN NAIR)
VICE CHAIRMAN