

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO: 127/99

TUESDAY the 22nd day of OCTOBER 2002

CORAM: Hon'ble Shri S.L.Jain, Member (J)

Hon'ble Smt. Shanta Shatary, Member (A)

1. Maroti Dadu Chaudhari

2. Durvasula Ventaka

3. Tapan Kumar Pal

4. Janardhan Kisan Meshram

5. Tulsidan Haribhau Lingayat

6. Budharam Bhiwaji Wadhai

7. Shashikumar Rajhans Wahane

...Applicants

All are working Tracer at  
Ordnance Factory, Ambazari,  
Nagpur.

By Advocate Shri S.V. Marne.

V/s

1. The Union of India through  
The Secretary,  
Ministry of Defence  
South Block, New Delhi.

2. The Director General  
Ordnance Factories Board,  
10-A S.K. Bose Road,  
Calcutta.

3. The General Manager,  
Ordnance Factory Ambazari,  
Nagpur.

4. The General Manager  
Ordnance Factory Chanda,  
Chandrapur.

5. The General Manager  
Ordnance Factory Bhandara  
Bhandara.

...Respondents.

By Advocate Shri R.R.Shetty for Shri R.K. Shetty.

PLJM's  
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ORDER(ORAL)

{Per S.L.Jain, Member (J)}

This is an application under Section 19 of the Administrative Tribunals Act 1985 seeking the reliefs as extracted below:

a) This Hon'ble Tribunal will be pleased to call for the records and proceedings of the case from the respondents and after examining the same direct the respondents to grant the pay scale of Rs. 330 - 560 / 1200 - 2040 to the applicants from the date they acquired the qualification for the post of Draughtsman Grade III.

Alternatively

b) This Hon'ble Tribunal may direct the Respondents to grant the pay scale of Rs. 330 - 560 / 1200 - 2040 to the applicants from the date they complete 7 years in the grade of Tracers (Rs. 260 - 430 )

bb) This Hon'ble Tribunal will be pleased to hold and declare that the order dated 20.4.1999 is illegal and void and the same be quashed and set aside.

c) This Hon'ble Tribunal be pleased to hold and declare that the non-grant of scale of Rs. 330 - 560 / 1200 - 2040 to the applicants is illegal and void ab initio.

d) The respondents be further directed to pay interest on arrears @ 18% p.a. from their respective dates of entitlement till its realisation.

e) Any other or further order as to this Hon'ble Tribunal may deem fit and necessary in the circumstances of the case may be passed.

f) Cost of this Original Application be provided for

g) Joint Original Application be allowed to be filed.

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2. On perusal of the pleadings of the parties the case of the applicants is based on the judgement of CAT Chennai Bench in the case of V. Irulappan and Others V/s Union of India and others (OA 1214/96). The said judgement was confirmed in Writ Petition No. 362/2000 by Madras High Court and SLP against the same is also dismissed. In view of the said position the judgement delivered by CAT Chennai Bench in the case of V. Irulappan and others V/s Union of India and others has attained its finality.

3. The learned counsel for the respondents raised his arguments on the pleadings, but in view of the judgement referred above, the said question cannot be now raised.

4. In the result the OA is allowed. We hereby direct the respondents to extend the benefit of O.M. dated 19.10.1994 to the applicants in full with all consequential benefits as per the said memorandum. The direction should be complied with, within a period of three months from the date of receipt of a copy of this order.

Shanta f-  
(Smt. Shanta Shastray)  
Member (A)

S.L.Jain  
(S.L.Jain)  
Member (J)

NS