

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 764/93 and 970/94

Date of Decision: 20.7.1999

Shri S.P.Saxena Advocate for
Applicant.

Versus

Union of India and others. Respondent(s)

Shri R.K. Shetty. Advocate for Respondent(s)

CORAM:

Hon'ble Shri. D.S. Bawej, Member (A)

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

(1) To be referred to the Reporter or not?

(2) Whether it needs to be circulated to other Benches of the Tribunal?

D.S. Baweja
(D.S. Baweja
Member (A))

NS

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NOS: 764.93 and 970.94
Tuesday the 20th day of July 1999.

CORAM: Hon'ble Shri D.S.Baweja Member(A)
Hon'ble Shri S.L.Jain Member(J)

1. Prakashraj Sharma
2. D.Chinnadurai
3. S.A.Jalil
4. V.B.Nimbalkar
5. Sailendra Nath Das
6. R.W.Kairanna
7. T.P.Sudhakaran
8. M.T. Adsule
9. D.B.Shinde
10. R.S.Naikain
11. M.A.Hussain
12. V.M.Naik
13. V.B.Ghule
14. C.G.Surve
15. M.Devraj
16. M.R.Pokale
17. P.O.Jose
18. S.S.Gaikwad
19. J.C.Shitole
19. J.C.Shitole

All presently working as
Grinders Highly Skilled
Gr.I/II in Ammunition
Factory, Kirkee, Pune.

...Applicants

1. D.K.Ghosh
2. A.C.Ghosh
3. S.S.Kholeh
4. Vijay Yeshwant Chopade
5. B.D.Kamblewant Chopade
6. S.K.Roy
7. C.A.Bansode
8. Mehboob Sharif Rahimatull Shaikh

All applicants working as
Chargemen

All Presently working as Chargemen
Grade I and II (Tech.)
By Advocate Shri S.P.Saxena.

...Applicants
in OA 970.94

v/s

1. Union of India through
The Secretary
Production, of Defence
D.H.Q.P.O. New Delhi.
2. The Chairman,
Ordnance Factory Board,
10 A, Auckland Road,
Calcutta.
3. The General Manager,
Ammunition Factory,

By Advocate Shri R.K.Shetty.

ORDER(ORAL)

Per Shri D.S.Baweja,Member(A)

Both the OAs are heard together and being disposed of by a common order as the facts are identical and the same question of law is involved.

2. In both the OAs the applicants claim higher pay scale for the post of Grinders in terms of the judgement of the Calcutta Bench of the Tribunal in T.A.1248/86 and 1361/86. The applicants have also relied upon the order of this Bench in OA 555/90, wherein the relief has been allowed based on the order of the Calcutta Bench as stated earlier.

3. Heard Shri S.P.Saxena counsel for the applicant and Shri R.K.Shetty counsel for the respondents.

4. The issue for grant of higher pay scale to Grinders working in the Ordnance factories has already been gone into recently by this Bench (where one of us D.S.Baweja was the Member) in the OAs No 899/93 and 52/94 and the OAs have been dismissed as per order dated 21.6.1999. The issue involved in the present two OAs is exactly the same and therefore we are not going into the details. The learned counsel for the applicant fairly conceded that the issue involved in the present two OAs is similar to that decided by order dated 21.6.1999 and therefore the present OAs can be disposed of accordingly. The present OAs ^{are therefore being} can be disposed of by passing the same order.

0

:3:

5. The learned counsel for the applicant however made a submission that the observations made in para 5 of the order dated 21.6.1999 should be made applicable in the present OAs. The learned counsel for the respondents submitted that the respondents will take necessary action to review the promotions

6. In view of the above, both the OAs are without merit and stand dismissed with no order as to costs. However it is provided that observations made in para 5 of the order dated 21.6.1999 in OAs 899/93 and 52/94 will apply in case of these two OAs also.

(S.L.JAIN.)
(S.L.JAIN.)

MEMBER(J)

(D.S.BAWEJA.)
(D.S.BAWEJA.)

D.S.BAWEJA.
MEMBER(A)

NS