

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO: 1246/95

DATE OF DECISION: 13/4/2000 --

____ Shri Fakira Sakharam Chowdhary ____ Applicant.

Shri S.V. Marene

----- Advocate for
Applicant.

Versus

Union of India & Anr.s.

----- Respondents.

Shri R.K. Shetty

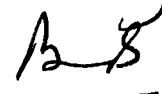
----- Advocate for
Respondents.

CORAM:

Hon'ble Shri B.N. Bahadur, 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?
3. Library.

No.



(B.N. BAHADUR)
MEMBER (A)

abp

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO:1246/95.
DATED THE 13TH DAY OF APRIL, 2000.

CORAM: HON'BLE SHRI B.N. BAHADUR, MEMBER(A)
HON'BLE SHRI S.L. JAIN, MEMBER(J)

1. Shri Fakira Sakharam Chowdhary,
Ordnance Factory, Bhusawal,
residing at Ordnance Factory Est.
Quarters Nos.11/27, Subhash Nagar,
IInd Type Bhusawal.
2. Shri A.T. Sonawane,
3. Shri P.B. Sonar,
both addresses at C/o. F.S. Choudhary,
Ordnance Factory Estater,
Quarters Nos.11/27, Subhash Nagar,
IInd Type, Bhusawal. ... Applicant

By Advocate S.V. Marne

V/s.

1. Union of India, through
The Chairman,
Ordnance Factory Board,
10, Auckland Road, Calcutta.
2. The Divisional Manager,
Ordnance Factory,
Varangaon. ... Respondents

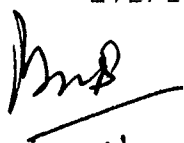
By Advocate Shri R.K. Shetty

(ORDER)

(Per Shri B.N. Bahadur, Member(A))

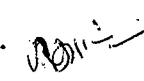
Learned counsels on both sides are present namely Shri S.V. Marne, Counsel for Applicant and Shri R.K. Shetty, Counsel for Respondents. The relief sought by the applicants in this case is substantially as follows:-

- 8(a) Hold and declare that the benefit of judgement in T.A.1361/86 and T.A.1248/86 decided on 30/10/1987 by Calcutta Bench of this Tribunal, is binding upon the Respondents and that the said benefits should be granted to the Applicants and which relief is already granted on 3rd of July, 1992.
- 8(b) Grant fixation of pay scales, arrears and fix the seniority of the Applicants in the light of the aforesaid judgement.



2. At the very outset, Learned Counsel for Applicant, Shri S.V.Marne, fairly informs us of the background of the long history of litigation on the issues raised by Machinists from various Ordnance Factories, and also that the judgement of the Calcutta Bench dated 30/10/1987 on the basis of which relief is sought, does not subsist any longer in view of the decision dated 6/1/1997 in Review Application - 74/91 (Copy available at Exhibit R-7). Hence, the grievance, which was sought to be agitated, no longer survives. Shri R.K.Shetty, Learned Counsel for Respondents agrees with this position.

3. In view of the position above, this application is hereby dismissed with no orders as to costs.


(S.L.JAIN)
MEMBER(J)

abp.



(B.N.BAHADUR) ..
MEMBER (A)