

Central Administrative Tribunal
Jabalpur Bench

OA No.597/05

Jabalpur, this the 5th day of August, 2005.

C O R A M

Hon'ble Mr.M.P.Singh, Vice Chairman

Hon'ble Mr.Madan Mohan, Judicial Member

Ghanshyam Prasad Patel
S/o Shri Kunjilal Patel
R/o House No.2170, Lal Building
Tripuri Chowk
Garha, Jabalpur.

Applicant

(By advocate Shri Nidheesh Patel)

Versus

1. Union of India through
Secretary
Ministry of Defence (production)
Government of India
New Delhi.
2. The Director/Chairman
Ordnance Factories Board
Kolkata.
3. The General Manager
Ordnance Factory Khamaria
Jabalpur.

Respondents.

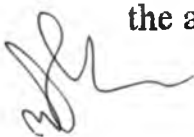
(By advocate Shri P.Shankaran)

O R D E R

Bv M.P.Singh. Vice Chairman

By filing this OA, the applicant has sought the following directions:

- (i) To quash letter-dated 4.11.2004, deciding the representation of the applicant by respondent No.3 as Annexure A7.
- (ii) Direct the respondents to settle all the retiral claims of the applicant.



- (iii) Quash the advertisement No.DAVP 7150(980) 2003 published in Rozgar Samachar dated 10.1.2004 inviting application for the post of LDC.
- (iv) Direct the respondents to issue appointment order for the post of LDC to the applicant in the light of lifting of ban of the advertisement.

2. Heard the learned counsel for the applicant as well as the learned counsel for respondents. Learned counsel for the respondents has submitted that the reliefs claimed by the applicant in this OA had already been claimed by him in an earlier OA No.1080/2004 filed by him. That OA was disposed of by the Tribunal vide order-dated 16.3.2005. In the present OA also, the applicant is seeking the same reliefs, i.e. to set aside the letter dated 4.11.2004 deciding the representation of the applicant by respondent No.3 and, therefore, this OA is barred by the principle of res judicata and is not maintainable.

3. We have given our careful consideration to the rival contentions and we find that in the earlier OA No.1080/2004, the applicant had claimed the following reliefs:

- “(i) Quash the letter dated 4.11.04 deciding the representation of the applicant by respondents bearing No.1480/E/GPP/GP-1 Annexure A7.
- (ii) Quash the advertisement No.DAVP 7150(980) 2003 published in Rozgar Samachar dated 10.1.2004 inviting application for the post of LDC.
- (iii) Issue appointment order for the post of LDC to the applicant in the light of lifting of ban on advertisement dated 10.1.2004.”

4. In the present OA also, the applicant has claimed the same reliefs.



(M.P.Singh)
Vice Chairman

23.

पृष्ठांकन सं ओ/न्य.....जवलापुर, दि.....

प्रतिलिपि अग्रे दिना:-

- पतिलिखित कार्यवाही
- (1) सचिव, उच्च न्यायालय और जिलास्थान, जबलपुर
 - (2) आदेशक श्री/श्रीमती/शु के काउंसल
 - (3) प्रहरी श्री/श्रीमती/शु के काउंसल
 - (4) अध्यक्ष, नैपका, जबलपुर न्यायाधीश
- सचवा एवं आवश्यक कार्यवाही हेतु

व्यक्तिगत कार्यवाही हेतु

Residh Sh Patel
PN 000
Pr. Shan Keran
PN 000

Issued
By
9/8/05