

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

OA NO.4268/2012

New Delhi this the 15<sup>th</sup> day of September, 2017

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)**  
**HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

Vinit Kumar Malik,  
S/o Shri Rajpal Singh,  
R/o Gali No.5B, Ward No.19,  
Tower Road, Near Defence  
Colony, Muradnagar,  
Ghaziabad.

...Applicant

(By Advocate: Ms. Meenu Mainee)

**VERSUS**

1. Union of India through  
Secretary, Government of India,  
Ministry of Defence,  
South Block,  
New Delhi.
2. Director General,  
Ordinance Factory Board,  
10A, Sahid Khudi Ram Bose Road,  
Kolkata.
3. General Manager,  
Ordinance Factory,  
Muradnagar,  
District Ghaziabad (UP),  
Pin No.201206.

...Respondents

(By Advocate: Mr. Ashish Nischal)

**:ORDER (Oral):**

**HON'BLE SHRI V. AJAY KUMAR, MEMBER (J):**

The applicant has filed this OA seeking the following reliefs:

- "i) That this Hon'ble Tribunal may graciously be pleased to allow the OA and quash the impugned order.

- ii) That this Hon'ble Tribunal may further be pleased to direct the respondents to promote the applicant to the post of Chargeman (Mechanical) from the list of qualified candidates which has been issued on 14.10.2010 with all consequential benefits.
- iii) Any other or further order/s which this Hon'ble Tribunal may deem fit and proper may also be passed.
- iv) Costs of proceedings may be awarded to the applicant."

2. When this matter was taken up for hearing, the learned counsel for the respondents submitted that the subject matter of the OA is squarely covered by this Tribunal's order in OA No.2251/2012 dated 07.02.2017 and accordingly the instant OA should also be dismissed. However, learned counsel for the applicant opposed the said submission and stated that the facts in both cases are different.

3. A perusal of the order of this Tribunal in OA No.2251/2012 dated 07.02.2017 indicates that the subject matter of the present OA is squarely covered by the decision in the said OA. In the circumstances, the instant OA is dismissed in terms of the order dated 07.02.2017 in OA No.2251/2012. No costs.

**(NITA CHOWDHURY)**  
**MEMBER (A)**

**(V. AJAY KUMAR)**  
**MEMBER (J)**

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