

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00886/2019

Jabalpur, this Wednesday, the 09th day of October, 2019

HON'BLE SHRI RAMESH SINGH T HAKUR, JUDICIAL MEMBER

Madan Sutradhar, aged about 30 years,
S/o Nripendra Nath Sutradhar,
Working as Carpenter (Skilled)
in CE/37/69191, Ordnance Factory,
Khamaria, Jabalpur R/o 50/6,
Type-I East Land Khamaria, Jabalpur (MP)

-Applicant

(By Advocate –Shri Manoj Sanghi)

V e r s u s

1. Union of India, through its Secretary
Ministry of Defence, South Block, New Delhi (110001)

2. The Ordnance Factory Board, through its Chairman,
Ayudh Bhawan, 10-A Shahid Khudiram Bose Road,
Kolkata 700001

3. The General Manager, Ordnance Factory
Khamaria, Jabalpur (482001)

-Respondents

(By Advocate –Shri D.S.Baghel)

O R D E R (ORAL)

The case of the applicant is that vide Annexure A-1 the applicant has been selected on the post of Carpenter and as per Annexure A-2 the applicant was appointed on 28.08.2014.

2. The clarification has been issued dated 04.08.2015 whereby it has been indicated that if a person lower in the merit list of recruitment (in Semi-skilled grade) joins earlier due to

early clearance of PVR. In such case, the person lower in the merit list will complete his/her qualifying service and be upgraded to skilled grade on earlier date as compared to a person higher in the merit list. However, person higher in the merit list will not lose his seniority and will be placed above the person lower in the merit list after getting up-gradation to Skilled Grade. As per seniority list Annexure A-4 has not been strictly followed.

3. The applicant has made representation Annexure A-6 dated 10.04.2017 to the Senior General Manager but as per Annexure A-7 dated 10.06.2019 it has been decided by the Section head. The submission of the applicant is that the section head is not competent to decide representation Annexure A-7.

4. It has been further submitted by the applicant that as per Annexure A-8, further representation dated 26.06.2019 has been made to the Senior Divisional Manager but till date no action has been taken by the respondents

5. At this stage the counsel for the applicant submits that the applicant will be satisfied if the respondents and the competent authority of the respondents are directed to decide the representation Annexure A-8 in a time bound manner.

6. I find that the claim of the applicant is genuine and also involves the legal issues with respect to Annexure A-4.

7. The respondents are directed to decide Annexure A-8 within a period of 60 days from the date of receipt of a certified copy of this order.

8. Needless to say that this Tribunal has not gone into the merits of the case.

9. The representation of the applicant shall be decided by way of a speaking order and under the law.

10. In view of this the Original Application is disposed of at the admission stage itself.

**(Ramesh Singh Thakur)
Judicial Member**

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