

(18)

Central Administrative Tribunal  
Principal Bench

OA No. 1431/2002

New Delhi this the 13th day of March, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)

Hon'ble Shri V.K. Majotra, Member (A)

Brijesh Kumar,  
S/o Shri Ram Chandra,  
R/o 879 Malviya Nagar,  
Post Office Satti Chaura,  
Allahabad.

-Applicant

(By Advocate: Shri Rakesh Verma)

Versus

1. Union of India through the  
Secretary, Ministry of Personnel  
and Training, Public Grievances,  
New Delhi.
2. The Hon'ble Chairman through  
Registrar,  
Central Administrative Tribunal,  
Principal Bench, Copernicus Marg,  
New Delhi.
3. The Hon'ble Vice Chairman through  
Registrar,  
Central Administrative Tribunal,  
Allahabad Bench, 23-A Thornhill Road,  
Allahabad.

-Respondents

(By Advocate Shri M.M. Sudan)

ORDER (Oral)

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)

On perusal of the facts and circumstances of the case, we note that this case is similar to the applications which were filed in the Tribunal by Neelam Kumari Singh v. Union of India & Others (OA No.390/2002 with connected cases) against the same respondents as in the present case, which were disposed of by Tribunal's order dated 17.5.2002.

2. It is relevant to note that the impugned order in the present case is also on the same date as the termination order passed by the respondents in the

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other cases which has been dealt with in the aforesaid OAs by the order dated 17.5.2002. We, therefore, reiterate our previous reasoning in the order of the same Bench dated 17.5.2002. However, in the present case, as per the averments made by the respondents in paragraph-1 of their detailed counter affidavit, it is noted that one post of Court Master/Stenographer Grade "C" is vacant at Allahabad Bench of the Tribunal, which has been notified to the Staff Selection Commission (SSC) to be filled up on regular basis through direct recruitment.

3. In the above facts and circumstances of the case, the OA succeeds and is allowed with the following directions;

- i) The impugned termination order issued by respondents dated 31.7.2000 is quashed and set aside;
- ii) Respondents are directed to reinstate the applicant in the vacant post referred to above immediately on ad hoc basis till such time the same is filled on regular basis in accordance with law and rules. It is, however, made clear that the applicant shall not be entitled to any pay and allowances for the intervening period from the date of termination till his

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reinstatement.. Necessary action shall be taken within a period of one week of the date of receipt of a copy of this order..

No order as to costs..

V.K. Majotra  
(V.K. Majotra)  
Member (A)

Lakshmi Swaminathan  
(Smt. Lakshmi Swaminathan)  
Vice-Chairman (J)

cc..