



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A. No.060/00133/2020

Chandigarh, this the 24th February, 2020

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MS. NAINI JAYASEELAN, MEMBER (A)**

Sh. Akshaya Yadav, S/o Sh. Ishwar Singh, aged 30 years, r/o Village and Post Office Budhana, Tehsil and Post and Distt. Agra – 282006.

....Applicant

(BY: MR. K.B. SHARMA, ADVOCATE)

Versus

1. Union of India through its Secretary, Ministry of Defence, South Block, New Delhi – 110011.
2. Director General of Ordnance Services, Master General of Ordnance Branch, Army Headquarters, DHQ, P.O. New Delhi – 1100011.
3. Commandant, 33, Field Ammunition Depot Dappar, c/o 56 APO-900241.

... .Respondents

O R D E R(Oral)

SANJEEV KAUSHIK, MEMBER (J):

1. Applicant is aggrieved against the order dated 03.07.2019 (Annexure A-8) and order dated 28.12.2017 (Annexure A-6). He has also prayed for issuance of a direction to the respondents to reinstate him into service w.e.f. 28.12.2017 with all consequential benefits.
2. Heard.
3. Learned counsel argued that the services of the applicant were terminated vide order dated 28.12.2017 during probation period which he could not challenge at the appropriate time.



He raised his grievance against his termination vide representation dated 24.05.2019 which has been decided vide order dated 03.07.2019. The cause of action in favour of the applicant arose on 28.12.2017 and limitation was upto 28.12.2018 but he neither approached the respondents nor the Court of law. Thus, the present O.A., apparently, suffers from delay and laches. Moreover no application for condonation of delay under the relevant rules has been filed.

4. On merits as well the applicant has no case. Applicant was appointed as T/Mate and put on probation for two years. During his probation period, the applicant could not satisfy his employer with his work and conduct, therefore, he was given show cause notice and also warning to improve his work. However, he failed to show any improvement in his performance despite show cause notice. Ultimately, finding his work and conduct not satisfactory, the respondents terminated his services vide letter dated 28.12.2017. Learned counsel has failed to point out any illegality or infirmity in the impugned order.

5. In view of the above, the O.A. is barred by limitation and also has no merit. The O.A. is, therefore, dismissed.

(NAINI JAYASEELAN)
Member (A)

(Sanjeev Kaushik)
Member (J)

Place: Chandigarh
Dated: 24.02.2020

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