

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI



O.A.NO.2142/2001

Thursday, this the 23rd day of August, 2001

Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Shri Prem Sagar (Mali)
HPT Kingsway Camp
S/O Late Shri Mangat Ram
R/O 258, Dhakka, SGTB Nagar
Delhi-9.

..Applicant

(By Advocate: Shri Vikas Nagpal)

Versus

1. The Union of India
Ministry of Information &
Broadcasting, Govt. of India,
service be effected through its
Secretary.
2. The Director General of All India Radio
Parliament Street
New Delhi-01
3. The Superintending Engineer
Govt. of India
High Power Transmitter
All India Radio, Kingsway Camp,
Delhi-9.

..Respondents

O R D E R (ORAL)

Heard the learned counsel for the applicant.

2. The applicant was appointed as Mali on compassionate basis by the respondents' OM dated 16/17.4.1996 (page 44 of the paper book). He had already been medically examined and had been found fit. The necessary police verification had also been carried out and his conduct was found to be satisfactorily. The applicant was accordingly allowed to join his duties as Mali on 22.4.1996. The attendance roll maintained by the office of the respondents was duly signed by the applicant on 22.4.1996. He performed his duties on the next day as well, i.e., on 23.4.1996 and signed the same register once again. On the 3rd day, namely, on 24.4.1996, he did

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(2)

approach the office of the respondents for performing his duties as usual but was prevented from doing so. Instead the applicant was asked to obtain ^{3 the 2} specific permission of the Superintending Engineer, respondent No.3 herein, before he could be allowed to perform his duties further. The applicant approached the aforesaid authority but in vain. He made several representations and served a number of legal notices on the respondents urging them to allow him to perform his duties as he had been duly appointed in the office of the respondents. There was no response. Consequently, the applicant went up to the High Court of Delhi. The matter remained pending in the High Court and finally on 5.5.2000, the High Court directed that the matter be taken to the Central Administrative Tribunal. Accordingly, the present OA has been filed in August, 2001. The applicant could not file the present application earlier as his mother, who is a physically handicapped ^{2 person,} was admitted in AIIMS. The last comprehensive legal notice served on the respondents is dated 23.5.1998 (Annexure-A). There has been no response to this either.

3. In the aforesaid circumstances, I am inclined to take the view that the interest of justice will be duly met in this case by disposing of the present OA at this very stage ~~and~~ ² even without issuing notices with a direction to the respondents to consider the various representations and the legal notices sent by the applicant for being allowed to work as Mali, within a period of two months from the date of receipt of a copy of this order. If an adverse decision is proposed to be

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taken in the matter, the respondents will pass a reasoned and a speaking order within the same period of two months.

4. The OA is disposed of in the aforesaid terms at the admission stage itself. No costs.

5. Registry is directed to send a copy of the OA along with this order.



(S.A.T. Rizvi)
Member (A)

/sunil/