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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.672/2001

New Delhi, this the 18th day of the December, 2001

HON'BLE MR. M.P.SINGH, MEMBER (A)

Biram, as Beldar, employee of C.P.W.D.
aged about 38 years S/o Shri Chotia,
R/o Village Tukmirpur, Bhajanpura,
Delhi-94.

... Applicant

(By Advocate: Shri H.A. Khan)

V E R S U S

1. Union of India, through its Secretary
Ministry of Urban & Development,
Nirman Bhawan, New Delhi.
2. The Director (Administrative)
Ministry of Law, Govt. of India,
A-Wing, Shastri Bhawan,
New Delhi.
3. The Director General, C.P.W.D.,
Nirman Bhawan, New Delhi.
4. The Director (Administration)
C.P.W.D.
Nirman Bhawan, New Delhi.
5. Govt. of NCT through its
Secretary, Old Secretariate,
Delhi.
6. The Executive Engineer,
P.W.D., Mandal I (Delhi Administration)
New Delhi.

... Respondents

(By Advocate: Shri George Paracken)

O R D E R (ORAL)

By filing this OA under Section 19 of the
Administrative Tribunals Act, 1985, the applicant has
sought to quash and set aside the order dated 1.4.2000
and has also sought direction to the respondents to
take him on duty and grant him all consequential
benefits including pay allowance, seniority and
promotion.

MR

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2. Brief facts of the case are that the applicant was appointed as Beldar with respondent No.6 vide order dated 17.2.1993 and placed for probation for a period of one year. He joined his duty on 6.3.1993. The applicant absented himself from duty from 5.11.1994. The respondents have sent letters to the residential address of the applicant, but the same were returned back unserved. Thereafter the respondents have reported the matter to the police and as per the report received on 6.5.1995 from the police, the applicant was involved in a criminal case and was locked up in Jail. The Session Court vide its order dated 16.9.1999 acquitted the applicant. A copy of the said order was served on the respondents by the applicant on 15.12.1999. He also submitted a representation on 22.12.1999, requesting to the respondents to grant him all consequential benefits including salary, seniority and promotion. The respondents had issued OM dated 1.4.2000 asking the applicant to give an affidavit to the effect that he will not claim any benefit of service for the period he remained in Jail, i.e., 15.11.1994 to 26.3.2000. Aggrieved by this he has filed the present OA seeking aforesaid relief. Late submitting the certified copy of the judgement and remaining in jail from 5.11.1994 to 26.3.2000)

3. Heard, learned counsel for rival contesting parties.

4. Learned counsel for the applicant submits that the ends of justice will be fully met, if the respondents are directed to consider his representation. Learned counsel for the respondents does not have any objection

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to this. Accordingly, the respondents are directed to consider the representation of the applicant dated 22.12.1999, ~~30~~⁸.9.2000 and also consider the original application as a part of his representation and take decision by passing a speaking, detailed and reasoned order within a period of two months from the date of receipt of a copy of this order.

5. The present OA is disposed of in the aforesated terms. No costs.


(M.P.SINGH)
MEMBER(A)

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