

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.967 of 2001

New Delhi, this the 8th day of June, 2001

HON'BLE MR.KULDIP SINGH, MEMBER(JUDL)

Shri Pappu Lal Meena
S/o late Shri Jaidhari
R/o RZ-F-462, Raj Nagar-II
Palam Colony
New Delhi-45

-APPLICANT

(By Advocate: Sh.Bhaskar Bhardwaj, proxy for Sh.Arun Bhardwaj)

Versus

1. Union of India through its
Secretary, Govt. of India
Ministry of Rural Development
Department of Rural Development
Krishi Bhawan, New Delhi

2. Joint Secretary
Govt. of India
Ministry of Rural Development
Department of Rural Development
Krishi Bhawan, New Delhi

-RESPONDENTS

(By Advocate: Shri R.N. Singh)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (Judl)

This OA has been filed by the applicant under Section 19 of the Administrative Tribunals Act assailing order dated 29.3.2001 whereby his services have been terminated with effect from 29.4.2001.

2. Facts in brief are that applicant was working as casual labourer under respondents and had filed an OA-2158/99 for grant of temporary status. That OA was allowed with a direction to confer temporary status upon him within a period of two months. Thereafter on 16.5.2000, the applicant was granted temporary status. However on 27.3.2001 vide Annexure A-4, the respondents issued a memo to the applicant calling upon him to

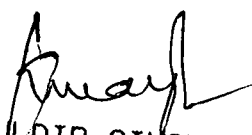
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explain the reasons of his unauthorised absence since 26.3.2001 and thereafter suddenly on 29.3.2001, the applicant was served with a memo terminating his services.

3. On the face of it, memo dated 27.3.2001 shows that first of all it is only unauthorised absence of one day which is being treated as very serious offence and the applicant has been called upon to explain the same and secondly without giving a reasonable time to the applicant for giving explanation, on 29.3.2001 itself the impugned order had been issued terminating his services.

4. Perusal of memo dated 27.3.2001 and order dated 29.3.2001 shows that no reasonable opportunity has been given to the applicant to explain his conduct. I, therefore, allow this O.A. and quash both these orders. However, respondents shall be at liberty to proceed against the applicant in accordance with rules. No costs.

/dinesh/


(KULDIP SINGH)
MEMBER(JUDL)