

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 1591/93

New Delhi, this the 15th day of July, 1999

Hon'ble Mr. Justice V. Rajagopala Reddy, Vice-Chairman (J)
Hon'ble Mr. R.K. Ahooja, Member (A)

Shri Jagdish Kumar
S/o Shri Vijay Singh
R/o Village Samalakha
New Delhi.

.....Applicant

(By Advocate: Ms. Jasvinder Kaur)

Versus

1. The Secretary,
Monopolies & Restricted
Trade Practices Commission
M.R.T.P. House, Shahjahan Road,
New Delhi.
2. The Secretary,
Ministry of Law, Justice &
Company Affairs,
New Delhi.
3. D.G. (I&R)
Dept. of Company Affairs,
Bikaner House, Shahjahan Road,
New Delhi.

....Respondents.

(By Advocate: None)

ORDER (Oral)

By Reddy, J.-

Heard the counsel for the applicant.

2. The impugned order in this case pertains to repatriation of the applicant to his parent department. Learned counsel for the applicant submits that the probation period was held to be un-satisfactory only on the ground that he was not properly performing the service as Staff Car Driver. It is contended that what is not satisfactory was the staff car and not the applicant's services. She further contends that when the services of the applicant are not satisfactory to the staff car he could have been posted to any other car in the department.

(2)

3. It is, therefore, necessary to see the appointment order dated 11.9.98. It is clearly stated in the said order that the applicant was posted as Staff Car Driver in MRTP Commission for a period of two years on probation and it was made clear that if the services are found un-satisfactory during the period of probation, the probation period may be curtailed and repatriated to his parent department. In pursuance of this order the applicant had joined the Commission and he was driving the staff car. The impugned order was passed on the ground of non-satisfactory service during probation. Since the applicant was specifically deputed to drive the staff car it cannot be argued that the driver can be posted to any other car. The contention that the remarks made in the order cast stigma against the character of the applicant.

4. We do not find any remark casting stigma against the character of the applicant. The probation was terminated as his work was not satisfactory. Since the applicant has been only repatriated to the parent department in accordance with the order dated 11.9.98, we do not find any violation of the rights of the applicant. The OA is, therefore, dismissed.

R.K. Ahoja
(R.K. AHOJA)
Member (A)

V. Rajagopala Reddy
(V. RAJAGOPALA REDDY)
Vice-Chairman (J)

cc.