

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1761/99

(2)

New Delhi this the 12th day of August, 1999.

Hon'ble Smt. Lakshmi Swaminathan, Member(J)
Hon'ble Sh. S.P. Biswas, Member(A)

Shri Ram Pal,
S/o Sh. Tula Ram,
R/o Vill. & P.O. Karawal
Nagar, Delhi-94.

..... Applicant

(through Sh. Yogesh Sharma, advocate)

versus

1. NCT of Delhi through
the Secretary,
Old. Sectt., Delhi.
 2. The Lt. Governor,
Govt. of Delhi,
Raj Niwas,
Delhi.
 3. The Chief Secretary,
Govt. of NCT of Delhi,
Old. Sectt., Delhi.
- Respondents

ORDER(ORAL

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

Heard Shri Yogesh Sharma, learned counsel for
the applicant.

2. The applicant is aggrieved by the order
passed by Respondent No.3 i.e. Chief Secretary dated
20.1.1999 removing him from service as Caretaker in
RCC/Kingsway Camp/Delhi.

3. The learned counsel for the applicant
submits that an appeal has been filed by the
applicant on 05.06.1999 addressed to Respondent No.2,
Lt. Governor, Government of Delhi to which he has

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not received any reply. He has submitted that after receipt of the impugned order of removal from service on 02.02.99, he made a representation on 10.02.99 for inspection of records to make an effective appeal against the impugned order. In disposing of that representation on 15.03.99, the respondents have stated as follows:-

"Reference his letter dated 10.2.99 on the subject cited above, Sh. Ram Pal, Ex-Caretaker is informed that at this Appellate stage he cannot be allowed to inspect the record. He should have insisted the inspection of record during the course of enquiry. However, he will be allowed to inspect the record at the appellate stage on the approval of Appellate Authority."

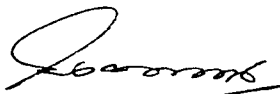
4. The learned counsel has submitted that the applicant has come to know that Respondent No.2 is not entertaining the appeal of the applicant on the ground of delay although he has not received anything in writing so far. He has further submitted that in the appeal, the applicant has also prayed for condonation of delay as mentioned in paragraph-13. In the circumstances, the learned counsel prays that the respondents may be asked to dispose of the appeal in accordance with law taking into ^{account B.} his prayer for condonation of delay as well as on merits within a reasonable time.

5. Having considered the above facts and circumstances of the case, the O.A. is disposed of, calling upon the respondents to take a final decision on the appeal submitted by the applicant on 05.06.99

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in accordance with law, with intimation to the applicant, within four months from the date of receipt of a copy of this order.



(S.P. Biswas)
Member(A)



(Smt. Lakshmi Swaminathan)
Member(J)

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