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Central Administrative Tribunal
Principal Bench

O.A. No. 2280 of 1998

New Delhi, dated this the 2nd November, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

Shri Harmeet Singh,
S/o Shri Kirpal Singh,
R/o B-46, Pushpanjali Enclave,
Pitampura,
Delhi-110034.

...Applicant

(By Advocate: Shri Gyan Prakash)

Versus

Union of India through

1. Member Secretary,
Planning Commission,
Yojana Bhawan, New Delhi-110001.
 2. Director General,
National Informatics Centre, Headquarters,
Planning Commission,
A Block, CGO Complex, Lodhi Road,
New Delhi-110003.
 3. Dy. Director,
National Informatics Centre,
A Block, CGO Complex,
Lodhi Road,
New Delhi-110003.
- ... Respondents

(By Advocate: Shri N.S. Mehta)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Heard both sides.

2. We note that applicant had filed an appeal dated 7.9.98 (Annexure A-13) against the impugned order of termination dated 21.8.98, which was followed by reminder dated 25.9.98 (Annexure A-14), but the same has not yet been disposed of by respondents.

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3. Respondents in Para 5.3 of their reply have taken the stand that there is no provision for appeal in the CCS (CCA) Rules, but Shri Gyan Prakash has invited our attention to Rule 23 (4) CCS (CCA) Rules and contends that an appeal is admissible in the light of the aforesaid provisions.

4. We note that the impugned order has visited civil consequences upon applicant and in the interest of justice, it would neither be fit nor proper for respondents not to consider and dispose of his appeal.

5. Under the circumstances we dispose of this O.A. with a direction to Respondent No.1 to dispose of applicant's aforesaid appeal by detailed, speaking and reasoned order in accordance with rules and instructions within two months from the date of receipt of a copy of this order, after giving applicant a reasonable opportunity of being heard in person.

6. During the course of arguments, applicant's counsel Shri Gyan Prakash has stated that the applicant would be willing to serve anywhere in India, and has emphasised that the only reason why he could not join earlier was because of unfortunate medical condition of his aged father as well as the fact that he was completing his MCA course.


7. We have no doubt that while R-1 disposes of the aforesaid applicant's appeal, he will keep the above in view.

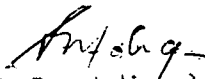
8. If any grievance still survives it will be open to

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applicant to agitate the same through appropriate original proceedings in accordance with law, if so advised.

9. The O.A. stands disposed of accordingly. No costs.


(Mrs. Lakshmi Swaminathan)
Member (J)


(S.R. Adige)
Vice Chairman (A)

/GK/