

(b)

Central Administrative Tribunal
Principal Bench
...

O.A. No. 1856/95

New Delhi, this the 20th day of Feb., 1996

Hon'ble Shri A.V. Haridasan, Vice-Chairman (J)
Hon'ble Shri R.K. Ahooja, Member (A)

Hem Prakash s/o
Shri Jwala Prasad,
Technician, House Keeping Section,
K.L. Bhawan,
New Delhi.

...Applicant

(By Shri U. Srivastava, Advocate)

Versus

1. Union of India through
The Secretary,
Deptt. of Telecommunication,
Sanchar Bhawan,
New Delhi.
2. The Deputy Director (Admn.),
K.L. Bhawan,
New Delhi.
3. The Assistant Director,
General Software Centre,
(Telephone Exchange),
Nehru Place,
New Delhi.
4. Shri R.K. Bhasin,
Technician (Admn.),
House Keeping,
K.L. Bhawan,
New Delhi.

...Respondents

(By Ms Pratima K. Gupta, Advocate)

O R D E R (Oral)

By Hon'ble Shri A.V. Haridasan, Vice-Chairman (J):

The applicant who was a Technician in the
K.L. Bhawan has filed this application for the following
reliefs:-

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- (2)
- a) direct the respondents to release the pay of the applicant from the period 1.1.1995 to 31.1.1995 and from 22.4.1995 to till date with allowance and payment of G.P.F. advance;
 - b) direct the respondents to allow the applicant to sign an attendance Register and to discharge the duties as usual.
 - c) to allow the O.A. of the applicant with cost of litigation with all consequential benefits.

2. It is alleged in the application that the respondents are not allowing the applicant to perform his duties; to mark his attendance in the attendance register and are not disbursing his salary. It is under these circumstances, the applicant has filed this application for the above-said reliefs.

3. The respondents, in their reply, have contended that the applicant was by order dated 2.8.1994 transferred to the Nehru Place Office ~~and~~ that he was relieved on 6.12.1994 and that ^{as} despite several reminders to him to report for duty at the Nehru Place Office by telegram and also by letters, the applicant failed to comply with the directions and under these circumstances, respondents could not disburse his salary. It is also contended that the applicant is not entitled to the reliefs prayed for in this O.A.


4. When the application came up for hearing today, learned counsel on either side agreed that the application can be disposed of at the admission stage itself with a direction to the applicant to report for duty at the Nehru Place office to which he stands transferred by order.

...3p/-


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dated 2.8.1994 and with a further direction to the respondents as to how the period during which the applicant ^{made it clear that} did not report for duty, is to be treated. It would be open for the respondents to take such action as deemed necessary under the circumstances.

5. In the circumstances, the D.A. is disposed off with direction to the application to report for duty in the Nehru Place Office within a period of one week and with a further direction to the respondents to allow the applicant to join duty there. It is also made clear that it is open for the respondents to take appropriate action in regard to the period of absence. There is no order as to costs.


(R.K. Ahuja)
Member (A)

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(A.V. Haridasan)
Vice-Chairman (J)