

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P.No.77/99

IN

O.A.No.324/97

New Delhi, dated this the 11th November, 1999.

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

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER(J)

Shri Om Prakash Tiwari,
S/o Shri Ganga Prasad,
R/o 989, Chand Mohalla,
Gandhi Nagar,
Delhi -110031

.....Petitioner.

(By Advocate: Shri O.P.Khokha)

Versus

Shri Harcharan Singh,
Secretary,
Staff Selection Commission,
CGO Complex,
Lodhi Road,
New Delhi-110003

..... Respondent.

(By Advocate: Shri N.S.Mehta)

ORDER(ORAL)

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

Heard both sides on C.P.No.77/99, alleging contumacious non-implementation of the Tribunal's order dated 21.4.98 in OA No.324/97.

2. It appears to us that the reason for respondents not engaging applicant is not so much because of non-availability of work with them, but because of his alleged unreliability, misconduct and taking out the confidential records of the Commission, as referred to in para 5 of their reply.


3. These allegations do not appear to have been pressed by respondents when OA No.324/97 was heard, because the Tribunal's order dated 21.4.98 contains no discussion about them, and cannot now be invoked

by respondents to avoid implementing the Tribunal's order dated 21.4.98.

4. In any case applicant's counsel Shri Khokha has assured us at the Bar that applicant will give a written undertaking to perform his duties sincerely and with devotion hereafter, and will give no cause to respondents to make any complaint against him.

5. On receipt of such written undertaking, applicants should engage applicant as a Casual Labourer within two months from the date of receipt of a copy of this order, on the clear understanding that if he gives cause for any complaint to them, they will be at liberty to disengage him forthwith, after giving him reasonable opportunity to explain his conduct.

6. Subject to what has been stated above, the C.P. is disposed of. Notices against respondents are discharged.


(MRS. LAKSHMI SWAMINATHAN)
MEMBER(J)


(S. R. ADIGE)
VICE CHAIRMAN (A).

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