

Central Administrative Tribunal  
Principal Bench: New Delhi

OA 1833/97

New Delhi, this the 26th day of August, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)  
Hon'ble Shri K.Muthukumar, Member (A)

Jai Prakash Sinth s/o Sh. Ambika Singh,  
R/o H.No. 100/C/o Mr. Bhagmal Singh,  
Haider Pur, Delhi.

...Petitioner

(By Advocate: Shri U.Srivastava)

Versus

1. National Capital Territory of Delhi through  
Secretary,  
5, Sham Nath Marg,  
New Delhi.
2. The Joint Director of Education (A)  
Directorate of Education (S II Branch)  
Delhi.
3. The Principal,  
G.G.Model Senior Secondary School,  
H.Block, Ashok Vihar,  
Delhi. 52

(By Mrs. Sudershan Nayyar, Head Clerk)

O R D E R (ORAL)  
[Dr. Jose P. Verghese, Vice-Chairman (J)]


The orders passed by us today in OA Nos.1887  
and 1822/97 shall be applicable to this case as well.

In response to our notice, Mrs. Sudershan  
Nayyar, Head Clerk, departmental representative appeared  
and stated that the petitioner did not report for duty but  
she has not intimated this fact to the department. We  
perused the file which she brought to the court, and found  
that there is no such report on the file. The departmental  
representative only stated that after the receipt of the  
intimation from the department as to the alleged fact that


the appointment has been obtained by the petitioner on fraud, thereafter the petitioner never appeared in the institution. (4)

In view of the submissions made in the petition and in view of the fact that there is nothing on record in the file today to show that such absence has been reported to the respondents, the respondents shall treat him on duty and shall not obstruct him from performing his duties until appropriate orders are passed by the appointing authority either an order of suspension or an order of removal in accordance with rules. The petitioner will be entitled to the salary for all the days he has been present and obstructed to join duties and the remaining period shall be treated as on leave of its kind due.

With these directions, this OA is allowed with no order as to costs.

  
(K. Muthukumar)  
Member (A)

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(Dr. Jose P. Verghese)  
Vice Chairman (J)