

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 2232/97

New Delhi this the 19th Day of May 1998

Hon'ble Shri R.K. Abooja, Member (A)

Shri Bodhraj Katyal,
Son of Shri Atma Ram,
Retired Regular Mazdoor,
under Telecom District Manager,
Rohtak,

R/o House No. 3/40A, Double Storey,
Vijay Nagar, Delhi-110 049.

(By Advocate: Shri S.K. Sawhney) Petitioner

-Versus-

1. Union of India through
Secretary,
Department of Communication,
Sanchar Bhawan,
New Delhi.
2. Chief General Manager,
Department of Telecommunication,
Ambala Cantt.
3. The General Manager (Telecom),
District Courts,
Rohtak, Haryana.
4. The Assistant Engineer,
Telephone Exchange,
Rohtak.

Respondents

(By Advocate: Shri Rajeev Bansal)

ORDER (Oral)

The applicant is an ex Service man and ~~said~~ that he joined the respondent's service as Casual Mazdoor on 2.3.1980 and on 3.3.1988 his services were regularised. He retired from the service of the respondents on 30.6.1995. He submits that ~~as~~ he had rendered 7 years of regular service, and 8 years of Casual service half of which is to be counted as qualifying service towards pensionary benefits. As the qualifying service would thus exceed ten years he claims pension which has been denied to him by the respondents.

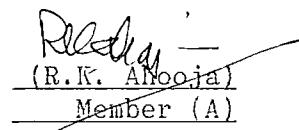
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2. The respondents in reply have alleged that the applicant has not come before the Tribunal with clean hands. In the first place he has not disclosed that he had filed a suit before the Civil Judge, Rohtak for the same relief, which was dismissed. Further the respondents allege that the documents submitted by the applicant in support of his claim are forged and manipulated.

(10)

3. According to the respondents he had joined as casual labourer in 1984 and was regularised in 1988 and confirmed in 1989. Today when the matter came up, Shri S.K. Sawhney, learned counsel for the applicant submitted that though it appears on the face of it that the documents initially submitted by the applicant do not tally with the documents produced by the respondents, the applicant has since submitted new documents which are enclosed with the rejoinder to establish his claim. The additional documents produced by the respondents is a photo copy of the casual labourer card. I find in this too a number of corrections and interpolation. It thus does not inspire confidence. The documents submitted by the applicant with his OA regarding his initial employment also seem to be tampered with. At this stage I would not like to attribute any motive to the applicant but it is clear that he has not come before the Tribunal with full facts of the case.

4. In these circumstances no relief can be considered. OA is accordingly dismissed.


(R.K. Anooja)
Member (A)