

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

19

O.A. No. 1540/94

Date of decision 27.5.96

Hon'ble Shri S.R. Adige, Member (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Chandra Pal
S/o Ferosh Singh
H.No.12-A/53, Vijay Mohalla,
Mojpur, Delhi-53

Ram Narain Singh
C/o Jaganath Singh
2142, Lodhi Colony,
New Delhi-110003

... Applicants

(By Advocate Shri M.P.Raju)

Vs.

1. Union of India through its Secretary, Ministry of Welfare, Shastri Bhawan, New Delhi.
2. The Under Secretary, Department of Welfare, Shastri Bhawan, New Delhi.

... Respondents

(By Advocate Shri B.K.Punj, proxy counsel
for Shri M.M.Sudan)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Member (A))

We have heard Shri M.P.Raju, counsel for the applicants and Shri B.K.Punj, proxy counsel for Shri M.M.Sudan, counsel for the respondents.

2. There are two applicants, namely, Sh. Chandra Pal and Shri Ram Narain Singh. In so far as applicant No.1, Shri Chandra Pal is concerned, we have perused the relevant departmental file No.8/6/96-CCI, at page 8 of which it has been noted that the applicant No.1, Shri Chandra Pal, was a habitual late comer; his duty hours started from 2PM while he reports for duty at around 5PM. It has further been substantiated ~~that~~ ^{that note was recorded,} that even on the date ^{that} he had not reported for duty upto 5PM. He had been given verbal warnings but he turned ^adeaf ear ¹ to all, and came late

with one excuse or the other. It was further recorded, that he ~~leaves~~ leaves office without any prior permission which constitutes lack of sense of responsibility. Under the circumstances, after obtaining approval of the Joint Secretary, who is a very senior officer, the services of the applicant No.1 Shri Chandra Pal, were discontinued.

3. In the light of the above noting, we are not inclined to interfere with this order, particularly in the background of the fact that departmental representative, Shri S.K.Gupta, who is present in court, states that the applicant has been offered employment in the Ambedkar Foundation. In this connection, Shri M.P.Raju has contended that the applicant Shri Chandra Pal had never received any warning and had been diligentⁱⁿ performing his duties throughout his service, but in the light of the notings in the relevant file, we do not have any^{good} reasons to interfere with the respondents' order, in so far as applicant No.1, Shri Chandra Pal is concerned.

4. In so far as the applicant No.2, Shri Ram Narain Singh is concerned, we understand that he has since been re-engaged and he ~~would be granted~~ ^{has claimed} temporary status from the date the scheme for grant of temporary status to casual labourers came into force. The respondents should examine the case of the applicant No.2, Shri Ram Narain Singh for grant of temporary status, in the light of the above scheme and pass a detailed, speaking and reasoned order thereafter under intimation to the applicant within two months from the date of receipt of a copy of this order.

5. This DA stands disposed of accordingly. No costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

S.R. Adige
(S.R. Adige)
Member (A)