

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 2184
T.A. No.

198 9.

DATE OF DECISION 5.12.1989.

Shri Vijay Singh, Applicant (s)

Shri G.N.Oberoi, Advocate for the Applicant (s)
Versus
Union of India & Ors. Respondent (s)

Shri P.H.Ramchandani, Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. T.S. Oberoi, Member (Judg.)

The Hon'ble Mr. I.K. Rasgotra, Member (Admn.)

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ? No.
3. Whether their Lordships wish to see the fair copy of the Judgement ? No
4. To be circulated to all Benches of the Tribunal ? No

JUDGEMENT (ORAL)
(Delivered by Hon'ble Shri T.S.Oberoi)

This application, under Section 19 of the Administrative Tribunals Act, 1985/ filed by the applicant Shri Vijay Singh, who was employed as ^aBeldar in Civil Construction Wing of All India Radio, New Delhi. Prior to his appointment as a Beldar, he had worked for about 6 years as a casual labourer and in consideration of his previous service as casual labourer he was screened and appointed as a temporary Beldar. His services were, however, terminated vide impugned order dated 29.9.1989 being purely temporary Beldar, against which he has come by way of present application.

2. Notice for admission was given to the respondents, who, however, have not yet filed the counter affidavit. Arguments on admission were heard.
3. During arguments, the learned counsel for the respondents pointed out that the applicant had not availed of the departmental remedy as provided in Section 20 of the Administrative Tribunals Act, 1985, before coming to this Tribunal, by way of present

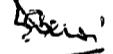
: 2 :

applicant and on that account alone, this application deserves to be dismissed. The learned counsel for the applicant, on the other hand, pointed out that the applicant had submitted a representation dated 23rd October, 1989, which, however, has not yet been disposed of by the respondents.

4. Considering the position as put forth by the learned counsel for the applicant as well as by the learned counsel for the respondents, we feel that the application can be disposed of at this very stage, by giving directions to the effect that the respondents shall dispose of the representation, referred to above, filed by the applicant, within a period of two months from today. Needless to say that in the event the applicant is not satisfied with the order passed by the respondents on his representation, he will be at liberty to approach this Tribunal, for further relief, according to law.

5. The application is disposed of on the above terms at the admission stage itself, leaving the parties to bear their own costs.


(I.K. Rasgotra)
Member (A)


5.12.89
(T.S. Oberoi)
Member (J)