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**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

ORIGINAL APPLICATION No.210/138/2021

Dated this Tuesday, the 16th day of February, 2021

**CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)**

Shri Sachin Prabhakar Rahagude, Age 44 yrs., Occ. (Service) Peon,
R/o Behind Nagoba Temple, Bajariya, Nagpur 440 018.

Email ID: nilimarahagude@gmail.com.

(M) 7722073447.

(By Advocate Shri Prasad Sarvankar)

- Applicant

Versus

1. Union of India, Ministry of Coal, PRIW Section,
Loknayak Bhavan, Khan Market, New Delhi 110 003,
Through its Director.

2. Presiding Officer, Office of the Special Tribunal,
Indore Complex, Nagpur 440 018.

(By Advocate Shri V.B.Joshi)

- Respondents

ORAL ORDER

Per : Dr. Bhagwan Sahai, Member (A)

Present:

Advocates Shri V.S.Masurkar and Prasad Sarvankar for the applicant.

2. Shri Suhas Mandal proxy counsel for Advocate Shri N.K.Rajpurohit for respondent No.1.

3. Advocate Shri V.B.Joshi for the respondent No.2.

4. Shri Masurkar submits that service of the applicant has been terminated by Special Tribunal, Indora Complex, Nagpur vide order dated 05.01.2021. The applicant was appointed on a sanctioned post of Peon in the office of Special Tribunal constituted under Section 14(2) of Coal Bearing Areas (A&D) Act, 1957 with Headquarters at Nagpur under Ministry of Coal, Government of India by order dated 15.09.2003 (Annex A-2) and since then he has been continuously working as Peon as shown by copy of his service book. He has also been granted annual increment and revised pay as per VII CPC but without regularization his service, this termination order has been issued even without issuing show cause notice to him.

5. Under para 6 in the OA, it has been stated that the applicant has ~~been~~ exhausted all departmental remedy before filing the present OA. His counsel submits that against the termination order, the applicant has submitted a representation to the respondent No.2, who is the authority issuing the termination order. Therefore, Shri V.S.Masurkar submits that the applicant would make a properly drafted representation to the respondent No.1 within two weeks from today and this OA may be disposed of with directions to the respondent No.1 to decide his representation in a specified period of time.
6. In view of these submissions, this OA is disposed of at admission stage. The applicant should make a comprehensive representation against his termination order to the respondent No.1 within two weeks from today. In case such representation is received by the respondent No.1, he should decide it within six weeks by passing a reasoned and speaking order from the date of receipt of certified copy of this order and thereafter communicate it to the applicant within two weeks.
7. With this the OA stands disposed of. No costs.

(Ravinder Kaur)
Member (Judicial)

(Dr. Bhagwan Sahai)
Member (Administrative)

kmg*

JD
17/02/21