

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A./KA. No. 157 198 6

Pravinder Pal Monga Applicant(s)

Versus

Union of India Respondent(s)

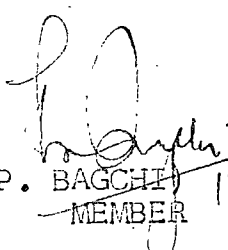
Sr. No.	Date	Orders
	13.3.86	<p>Present: Mr. R.B. Gupta for the applicant.</p> <p>Heard the learned counsel for the applicant in detail.</p> <p>The main grievance of the applicant is that his services were terminated w.e.f. 2.5.1981 by the impugned order dated 27.11.1982 by the Central Tibetan Schools Administration under the Ministry of Human Resources Development. The facts of the case can be summarised as follows:-</p> <p>The applicant was appointed as Elementary School Teacher w.e.f. 11.10.1980. When he came to Delhi during summer vacation ⁱⁿ during 1981, according to the applicant, he fell ill and he applied for medical leave from 1.7.1981 to 15.8.1981. Since he did not recover from his illness after 15.8.1981, he sent further applications for leave along with medical certificates, when ultimately vide letter dated 7.6.1982, he was asked by his employer to report to the Medical Officer, Dr. Ram Manohar Lohia</p> <p style="text-align: right;">Contd....2.</p>

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Sr. No.	Date	Orders
		<p>Hospital, New Delhi. Interestingly enough, the Medical Officer found him to be medically fit. Thereafter, the Central Tibetans Schools Administration in their Memorandum of 20th July, 1982 asked him to report to the school at Darjeeling not later than 31.7.1982. Instead of complying with the order, the applicant on the very last date, i.e., on 31.7.1982 sent an application seeking permission to resume duty by 23.8.1982. A copy of the order of the Administration and his application are annexed with the application. Even according to the applicant, he has been going to the office of the Schools Administration now and then and was being told orally also to resume duty at Darjeeling. This is clear from page 34 of the paper book which is an undated letter addressed by the applicant to the Secretary of the Central Tibetans Schools Administration, New Delhi. When the applicant did not join the school at Darjeeling, the impugned order dated 22.11.1982 was passed terminating his services w.e.f. 2.5.1981.</p> <p>2. Considering the facts of the case, as evident from the application and the documents appended thereto, we are satisfied that the applicant himself has been responsible for getting the impugned order passed. The Schools Administration</p>

Contd...3.

has been quite tolerant, but if the school had to be run properly, the truant conduct which the applicant had shown could not be suffered any longer. We, therefore, see no merit in the application and reject the same summarily under sub-section (3) of Section 19 of the Administrative Tribunals Act. This will be without prejudice to applicant's entitlement to such terminal and other benefits to which he ^{may be} ~~is~~ legally entitled.


(H.P. BAGCHI)
MEMBER

13.3.82


(S.P. MUKERJI)
MEMBER