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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. 3098 of 1991

New Delhi this the 27th day of April, 1994

Mr. Justice S.K. Dhaon, Vice-Chairman  
Mr. B.K. Singh, Member

Shri Om Pal Singh  
R/o Village Nangla Khushal,  
P.O. Fazalpur,  
District Bulanshar.

...Applicant

By Advocate Mrs. Rani Chhabra

Versus

1. Union of India,  
through its Secretary,  
Min. of Communication,  
Department of Telecommunication,  
Sanchar Bhawan,  
New Delhi.

2. D.E.T. Survey,  
New Telephone Exchange Building,  
Master Tara Singh Nagar,  
Jalandhar City.

3. Assistant Engineer,  
Telecom Project,  
Jalandhar.

...Respondents

None for the respondents.

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

In this O.A. no counter-affidavit has been filed despite the fact that the respondents have been duly served. In the absence of any counter-affidavit, the averments made in the O.A. have got to be accepted as correct.

2. The material averments are these. The applicant was recruited as a casual labourer in the Department of Telecom in July, 1990 and was assigned work of a Lorry Driver. He apprehends removal from service on the basis of the policy dated 22.04.1987 adopted by the respondents.

3. A number of reliefs have been claimed in this O.A. But in our opinion, none of them can be granted to the applicant. <sup>at this stage</sup> One of the reliefs claimed is that the applicant may be absorbed.

4. On 26.12.1991, this Tribunal passed an interim order directing the respondents to maintain status quo as

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regards continuance of the service of the applicant as a Lorry Driver. That order continues to operate even now. The consequence of the interim order <sup>was</sup> /that even if the respondents desired to pass an order terminating the services of the applicant, they could not do so.

5. We are not sure whether the respondents really intended to terminate the services of the applicant. However, we direct the respondents to deal with the applicant on merits and in disregard of the circular dated 22.4.87 and also keeping in view the fact that the applicant has rendered service to them during all these years.

6. With these directions, this O.A. is disposed of finally but without any order as to costs.

  
(B.K. SINGH)  
MEMBER (A)

  
(S.K. DHAON)  
VICE CHAIRMAN

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