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Central Administrative Tribunal, Principal Bench

Original Application No.2044 of 2004

New Delhi, this the 25th day of August, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. S.A. Singh, Member (A)

Shri Surinder Prasad,  
S/o Shri Kadar Dutt,  
R/o C-23-A, 2nd Floor,  
Sanwal Nagar (Near Sadiq Nagar)  
New Delhi-49

...Applicant

(By Advocate: Shri Pankaj Kumar)

Versus

1. Union of India through,

The Secretary,  
Ministry of Road Transport & Highways,  
(Canteen Cell), Parivahan Bhawan,  
1, Parliament Street,  
New Delhi-11

2. The Director (Canteen),  
DOPT, Lok Nayak Bhawan,  
Khan Market,  
New Delhi-3

....Respondents

O R D E R (ORAL)

Justice V.S. Aggarwal, Chairman


The applicant was appointed as a Clerk in the Departmental Canteen in the Ministry of Works and Housing on 11.5.1970. He was promoted as Assistant Manager from 1.2.1979. His services were terminated on 26.4.1980. This led to an industrial dispute. Applicant's contention is that the Tribunal directed that termination of his services were illegal. The said order was challenged but was upheld by the Delhi High Court.


2. The present grievance of the applicant is that the respondents are appointing one Arjun Singh, a retired Subedar Clerk as Manager Grade II in the departmental

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canteen. We had put it to the learned counsel for the applicant as to if any such order as yet has been passed or not. The answer was in the negative. Learned counsel relied upon the minutes of the meeting of the Managing Committee in support of his contention.

3. The practice of obtaining departmental notings of the meetings have to be deprecated. All the same, this at best, would be a recommendation. In the absence of any order having been passed, the application must be taken to be premature giving no cause to the applicant. Resultantly, it must fail and is dismissed in limine.

  
( S.A. Singh )  
Member(A)

  
( V.S. Aggarwal )  
Chairman

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