

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

...

RA No.108/99 in OA 1764/92

New Delhi, this the 25th day of May, 1999

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P. BISWAS, MEMBER (A)

In the matter of:

Prahalad Prasad s/o Sh. Shyam Mahto,
c/o Shri H.P. Chakravorty,
Advocate, Bar Room, CAT,
Principal Bench, New Delhi. ...Review applicant

(By Advocate:Shri H.P.Chakravorty),

Versus

1. Union of India through
The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divl. Railway Manager,
Northern Railway,
Estate Entry Road,
New Delhi.Respondents

(By None)

J U D G M E N T(By Circulation)

By Hon'ble Shri T.N.Bhat, Member (J)

OA 1764/92 filed by the review applicant,
namely, Sh. Prahalad Parsad came up before us on
10.3.1999. However, none appeared for the parties.

2. The question raised in the OA had
already been answered by the Full Bench by its detailed
judgement dated 12.2.1999, wherein it was held that the
services of Bunglow Peons/ Khalasis even after
acquisition of temporary status can be terminated on the
ground of unsatisfactory work without holding a
departmental enquiry and, further, that the termination
of their services would not be bad or illegal on the

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ground that notice was not given before the termination. These were the points raised by the applicant in the O.A. contending that since he had acquired temporary status his services could not be terminated without notice and without holding any enquiry. He was further aggrieved by the fact that the respondents were not taking him back in service as a substitute bungalow peon/kahalsi.

3. In view of the fact that the applicant did not appear on the date of hearing and also for the reason that Full Bench of this Tribunal had in its judgement dated 12.2.1999 held that the claim put up by the applicant in the O.A. could not be allowed we disposed of the O.A. on merits, dismissing the same as being devoid of merit.

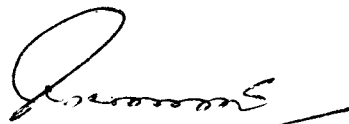
4. The applicant, apart from stating that his counsel was busy, has not been able to make out any good ground for review. We do not find any error apparant on the face of record. The question as to whether the applicant would continue as S&T kalasi, which job, according to the applicant, was given to him after termination of his service, is not relevant so far as the instant RA is concerned.

5. We notice that even after a clear pronouncement by the Full Bench the applicant is harping on the tune that his services could not have been terminated after he had been granted temporary status and, further, that a regular enquiry under Rule 9 of the

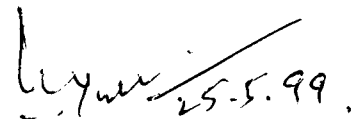
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"D.A.R." was a must. This question, as already observed, has been adjudicated upon by the Full Bench and there is no scope for us to express a contrary view.

6. We are convinced that no ground for review has been disclosed in this case. The review application is accordingly dismissed, by circulation.



S.P. Bhowas)
Member (A)



(T.N. Bhat)
Member (J)