

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 30TH DAY OF NOVEMBER, 2000

Original Application No. 285 of 1996

CORAM:

HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

HON. MR. S. DAYAL, MEMBER (A)

Sunil Kumar Sharma, Son of Sri Suraj pal Sharma  
R/o Village Chaujitpur, Post Balwarganj  
District Jaunpur at present posted as  
Cleaner of Truck in the office of  
Government of India, Central Ground Water  
Board Division No. III, S-18/38-5 B,  
Patel nagar, Varanasi.

... Applicant

(By Adv: Shri H.P. Pandey)

Versus

1. Union of India through Chairman  
C.G.W.B. NH-4, New C.G.O. Complex  
Faridabad, State of Haryana
2. Executive Engineer, Central Ground  
Water Board Division No. III  
Patel nagar, Varanasi.
3. Assistant Engineer, Central Ground  
Water Board Division No. III  
Patel Nagar Varanasi.

... Respondents

(By Adv: Km. sadhna Srivastava)

O R D E R (Oral)


(By Hon. Mr. Justice R.R.K. TRIVEDI, V.C.)

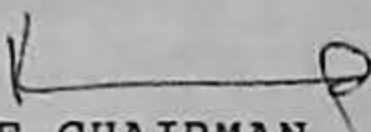
By this application u/s 19 of A.T. Act 1985 the applicant has prayed for a direction to the respondents to permit the applicant to resume his duties since he was sick for the period of 28.8.1995 to 16.12.1995. It is stated that thereafter the applicant was not allowed to join his duties. Applicant was appointed on 4.4.1990 as a Truck Cleaner in the office of Executive Engineer, Central ground Water Board, Division No. III Varanasi. He was working since then as Truck Cleaner.

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In the counter affidavit the respondents on the other hand have alleged that applicant never reported to join duty and the allegations in the application are not correct. As no order of termination, dismissal has yet been passed against the applicant, his appointment survives and he is entitled to join the post.

In the circumstances, we dispose of this application with the direction to the respondents no.2 to allow the applicant to join his post for which purpose he shall appear before him on 15.12.2000. After the applicant joins, it shall be open to the respondents to consider his case for absence from duty in accordance with law. No order as to costs.

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 30.11.2000

Uv/