

(Open Court)

CNETRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 08th day of October, 2003.

Original Application No. 364 of 1997.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman.

Hon'ble Mr. D.R. Tiwari, Member- A.

Anil Kumar Mishra S/o Late Ram Surat Mishra
R/o Vill. Halwa, P.O. Mairhi, Chandauli,
Distt. Varanasi.

.....Applicant

Counsel for the applicant :- Sri Lokendra Kumar

V E R S U S

1. Union of India through the Chief Construction Engineer (R&D), North 'E' Block (Defence), Room No. 82, New Delhi.
2. Project Manager, D.R.D.O, Project Office Babatpur, Varanasi.
3. Dy. Project Manager, Defence Research and Development Organisation, Distt. Mirzapur.

.....Respondents

Counsel for the respondents :- Sri Amit Sthalekar

O R D E R (Oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

List has been revised. None is present for the applicant. We have heard Sri S.K. Pandey, holding brief of Sri Amit Sthalekar, counsel for the respondents and perused records.

2. By this O.A filed under section 19 of Administrative Tribunals Act, 1985, the applicant has prayed for a direction to respondents to treat the applicant eligible

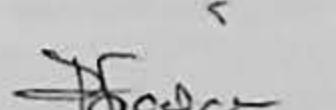


for appointment to the post of Helper and further to give him appointment on the said post.

3. The facts of the case are that the applicant was appointed as on casual basis for a period of 89 days on 31.07.1992. He continued to serve till 01.10.1996. Thereafter, he was discharged from service aggrieved by this, O.A has been filed.

4. Resisting the claim of the applicant counter reply has been filed. Alongwith counter, letter of the applicant has been filed by which he expressed his willingness to leave his service on his own w.e.f 01.10.1996. The said letter has been written by the applicant in his own hand-writing. After the counter was filed, applicant filed M.A No. 3765/1997 togather with Suppl. Affidavit and annexed the copy of the letter addressed to the Chief Construction Engineer (CCE). In the said letter it was alleged that he was presurised to write that he ^{was} ~~had~~ voluntarily ^{leaving} ~~left~~ the job. The respondents filed Suppl. CA wherein it has been stated that no such letter was received by the CCE.

5. As the applicant has left the job on his own, we do not find any ground to interfere with the matter. The O.A is accordingly dismissed with no order as to costs.


Member- A.


Vice-Chairman.

/Anand/