

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 09TH DAY OF JULY, 2001

Original Application No.782 of 2001

CORAM:

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Geetam Singh, son of Late Nathilal
C/o Sri Surendra Singh, Advocate,
Sector 16, Sikindra, Agra.

... Applicant

(By Adv: shri B.B.Sirohi)

Versus

1. Union of India through Secretary
Ministry of Human Resources
Development Department of
Culture, Govt. of India,
New Delhi.
2. The Director General,
Archaeological Survey of India
11 Janpath, New Delhi.
3. The Superintending Archaeologist
Archaeological Survey of India, Agra
Circle 22, Mall Road, Agra.
4. Sri D.V.Sharma, Superintending
Archaeologist, A.S.I, Agra Circle
Agra.

... Respondents

(By Adv: Shri Ganga Ram Gupta)

O R D E R(oral)

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

By this OA the applicant has prayed that the respondents may be directed to permit the applicant to resume his duty as Monument Attendant w.e.f. 16.11.2000 and pay him wages in accordance with law w.e.f. October 2000. It appears that applicant has already been served with memo of charge for remaining absent from the date 16.10.2000 and the disciplinary proceedings are pending against him for the misconduct. ~~In these~~ ^{circumstances} It also appears that the applicant has not appeared before the Enquiry Officer though he has

received several notices. In these circumstances, when the applicant is facing disciplinary proceedings for absence from duty for the same period he cannot be granted relief to join the post. The applicant if so advised, may participate in disciplinary proceedings.

However, so far joining duty ^{at present} is concerned, the applicant may be permitted to join if there is no order of suspension or termination existing against him or if he is otherwise not ^{disc}entitled to join the post ^{and} for this purpose the applicant should make an application before the respondent no.3 Supdt., Archaeological Survey of India, Agra Circle, Agra. If the application is made by the applicant for joining duty it shall be considered and decided by Respondent no. 3 in accordance with law in the light of the observations made above and a reasoned order shall be passed permitting or refusing permission to the applicant to join the post within three weeks from the date of service ^{of this order}. There will be no order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 09.7.2001

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