

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
(THROUGH VIDEO CONFERENCING)**

Original Application No. 332/00243/2021

Date of Order: This, the 24th day of August, 2021

HON'BLE MS. JASMINE AHMED, MEMBER (J)
HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)

Navnit Singh, aged about 31 years, S/o Shri Om Pal Singh, R/o New Khan Colony, Post- Kharika, Moharibagh, Telibagh, Lucknow.



... Applicant

By Advocate: Shri Praveen Kumar.

- Versus -

1. Union of India through the Secretary, Ministry of Defence, Government of India, South Block, New Delhi.
2. The Additional Director General of Strat Movements/ Mov D, O/o Director General of Operational Logistics & SM, General Staff Branch, Integrated HQ of MoD (Army), New Delhi.
3. The Group Commander, HQ 56 MC Group Pin 900450.

.....Respondents

By Advocate: Ms. Prayagmati Gupta.

O R D E R (ORAL)**By HON'BLE MS. JASMINE AHMED, MEMBER (J).**

It is the contention of the learned counsel for the applicant that the applicant who joined in the respondents department as Safaiwala in the year 2012, was under probation for a period of two years and after completion of two years probation, he is continuing till date in the same department as Safaiwala. It is also contended by the learned counsel for the applicant that in between on 26.02.2020 a chargesheet has been served upon the applicant, to which he properly gave a reply to the respondents. It is also contended by the learned counsel for the applicant that the applicant was only called once for appearing in the inquiry. Learned counsel for the applicant states that without taking any decision on the reply given in pursuance to the chargesheet the respondents cannot pass an order for terminating the services of the applicant. But in the instant case without resorting the due procedure established under law, the respondents have straightway passed termination order dated 18.06.2021, which was served upon the applicant on 27.07.2021. The order dated 18.06.2021 states that the termination will take effect on completion of one month of receiving of the order which was served upon the applicant through letter dated 27.07.2021. As such, termination order has to take effect only on or after 27.08.2021 which is yet to



come. In this regard, learned counsel for the applicant states that even the representation of the applicant has not been decided by the respondents till date.

2. We feel as the termination has not been given effect to, the applicant is directed to prefer a fresh representation detailing all his grievances which he placed before this Tribunal within a week and the respondents are directed to take a decision thereon within a period of 15 days thereafter. Till then the termination order, which is yet to take effect, shall be kept in abeyance.

3. Original Application is disposed of accordingly. It is made clear that we are not commenting anything on the merits of the case.

4. There will no order on costs.



(A.MUKHOPADHAYA)
MEMBER (A)

(MS. JASMINE AHMED)
MEMBER (J)