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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL-ALLAHABAD BENCH-ALLAHABAD.

T.A. 485 of 1987.

Jog Lal..... Applicant.

Versus

Union of India and others..... Respondents.

Hon'ble Mr. Justice U.C. Srivastava - V.C.

Hon'ble Mr. K. Obayya - A.M.

(By Hon'ble Mr. Justice U.C. Srivastava- V.C.)

This transferred Civil case has been received under
Section 29 of Administrative Tribunals Act.

2. The applicant was appointed as part time Chaukidar at
T.M.O. office Varansi under Sub Record Office Cantt, on 25.1.1975.
~~Some~~ After six years service, his services were abruptly terminated
and according to the applicant a recruitment test took place in
which he appeared and he also was successful in the examination.
Yet he was not given appointment, while others were appointed and
he was told that for want of verification of service particulars
his appointment could not be made, and after waiting for considerable
period the applicant gave a notice under Sec. 80 of the Civil
Procedure Code and thereafter filed a suit in the court of Munsif
for declaration that being duly selected employee, the defendants
~~has~~ directed to recognize applicants status as duly selected
candidates ^{and} be permitted to join the post with all consequential
benefits. In reply the respondents have stated that because of
the certain reports against him, ^{a case of} theft was lodged and i.e. why
his appointment was cancelled. Undoubtedly the applicant was only
selected ^{and he has} ~~of his~~ no right to the post and he could not ^{be} expected
to be appointed when once there was some charges against him. He ~~x~~
should have been given an opportunity to explain his case and as
such that was not done. The respondents are directed to take
explanation from the applicant and in case they are satisfied
from the explanation and the ^{from} report ^{of} and police ~~report otherwise~~
it is found that ~~of course~~ complaint against the applicant who was
not prosecuted in the criminal court is not correct, The respondents

Contd.....3.

will ~~also~~ consider ~~for~~ giving him appointment in view of the fact that he has already been selected. The application shall stand disposed off, finally.

Member (A)

Vice Chairman.

Dt: 21.2.92.