

A2  
X

CENTRAL ADMINISTRATIVE TRIBUNAL, ALIAHABAD BENCH  
ALLAHABAD.

O.A. No. 1000 of 1988.

Ahmed Ali ..... Applicant.

Versus

Union of India & another ..... 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.)

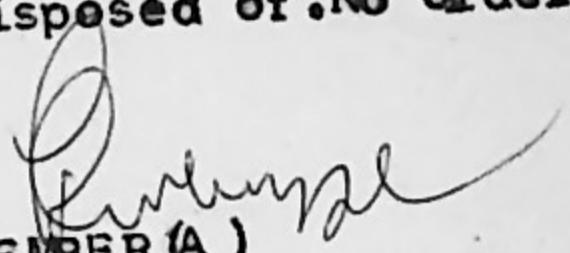
The applicant applied in the month of February, 1985 for the recruitment to the post of MRCL Diesel Department. In that application, the applicant had also given the periods during which he worked under Public Works Inspector, Central Railway Bhopal. According to him, he worked during the year 1977-78 and even thereafter. He had submitted an application in the month of October, 1981 and his services were converted into MRCL Diesel, Central Railway and he was appointed as MRCL in the Diesel Department and continued to work as such. On 6/9.7.87, an order was issued in which it was stated that the fact that he worked under the PWI, Bhopal in the year 1977-78, was not correct. The applicant submitted his reply to the same and stated therein that there is a casual service card of every employee in which his services are entered and the said card was already deposited. It was thereafter that the applicant's services were terminated. The contention on behalf of the applicant is that the applicant has attained the temporary status as he has worked for more than 120 days and he could not have been terminated without holding a

42  
1/2

full-fledged enquiry which was not done. There was dispute between the parties as to whether the applicant worked during the period 1977-78 or not and the card which was submitted by him, was forged or correct but without holding an enquiry, the services of the applicant were terminated. The applicant should have/given an opportunity of hearing.

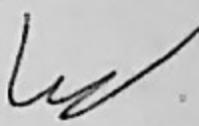
Accordingly, the application is allowed to the extent that the respondents are directed to hold an enquiry associating the applicant with the same and in case, it is found that the applicant in fact had worked for 120 days and had worked during the period 1977-78, he will be reinstated but back wages shall not be paid to him. In case, it is found that the applicant has failed to prove that in fact what he has stated in the application before getting appointed in Jhansi, was not correct, the application shall stand rejected. Let an enquiry be concluded within a period of four months from the date of communication of this order.

With these observations, the application stands disposed of. No order as to costs.

  
MEMBER (A)

DATED OCTOBER 14, 1992.

(ug)

  
VICE CHAIRMAN