

THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD

Original Application No.1657/1992

Arun Kumar Jayant Applicant

Versus

Union of India and others Respondents

-:o:-

HON'BLE MR MAHARAJDIN, MEMBER(J)
HON'BLE MR S DAS GUPTA, MEMBER(A)

(by Hon'ble Mr Maharajdin, Member-J)

The applicant has filed the application seeking the relief that the impugned order of termination from the service dated 16-10-1992 be quashed.

The applicant was provisionally appointed as E.D. S.B.P.M. at Post Office Civil Lines, Fatehgarh on 21-05-1990. He joined the post on 07-06-90 and worked till 16-10-92. It has been urged on behalf of the applicant that the services of the applicant were terminated without serving the notice on the applicant, therefore, the order is illegal and void in the eye of law. Rule 6 of E.D.A. (Conduct and Service) Rules 1964 as existed on the relevant date when the services of the applicant were terminated, no notice was contemplated to be served if the employee has not completed three years of regular service. Since Rule 6 now has been amended and it has been enforced sometime in the month of February 1993, therefore, learned counsel for the applicant has argued that the department be directed to take decision in the light of the amended Rule 6 (supra).

We partly allow the application of the applicant

Mm

with the direction to the respondents to decide the case of the applicant in the light of the amended Rule 6 on receiving a representation from the applicant which he will submit within a period of fifteen days from today. The representation be disposed of within three months from the date of the receipt of the representation.

The application is accordingly disposed of.


MEMBER(A)


MEMBER(J)

DATED:Allahabad, January 25, 1994.
(VKS PS)
