

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Original Application No. 10 of 1994

Kashi Ram Kushwaha

... Applicant

Versus

Union of India and Ors

... Respondents

CORAM:

HON'BLE MR. MAHARAJ DIN, MEMBER(J)

HON. MISS. USHA SEN. MEMBER(A)

(By Hon. Mr. Maharaj Din, J.M.)

The applicant has been filed this application seeking the relief to issue directions to the respondents to take him back on duty as a Helper to the Lineman Grade Rs.750-940 and pay him the wages.


2. The applicant was appointed as a Casual labour and later on he was given M.R.C.L. status and was being paid the regular pay scale Rs.750-940 per month and he was entitled to get the annual increments also. The applicant was involved in a murder case. He was, however, bailed out by the second additional Sessions Judge, Jhansi (Annexure A-1). He made a request to the respondents for taking back him on duty after having bailed out but he was not permitted to perform his duties. It is stated that the applicant was neither put under suspension nor he was put of duty. The applicant submitted representation dated 21.8.93(Annexure A-III) requesting that he should be taken back on duty. The learned counsel for the applicant




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has stated that the said representation is still pending for disposal and a direction may be issued to the respondents to dispose of the representation within a specified period.

3. Considering these facts and circumstances of the case and the submission of the learned counsel for the applicant the case is disposed of at admission stage with a direction to the respondents to dispose of the representation dated 21.8.93 of the applicant (Annexure A-III) with a reasoned order and as per Extant Rules within a period of three months from the date of communication of this order.


Member (A)


Member (J)

Dated: 7th January: 1994

(Uv)

Diary No 5194
Central Administrative Tribunal
Additional Bench A Allahabad
Date of Filing... 3/1/94
OR
Date of Receipt by Post
By Registrar
3/1/94

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
AT ALLAHABAD

O.A. No. 10/9/1994

Kashi Ram Kushwaha aged about 25 years son of
Shri Nandale Kushwaha resident of 222, Outside
Datia Gate, Jhansi.

..... Petitioner

Versus

1. Union of India through Ministry of Communication
Govt. of India, New Delhi.
2. Divisional Engineer (Telephones), Jhansi.
3. S.D.O. (Phones) Lalitpur Road, Telephone
Exchange Jhansi.

..... Respondents.

filed today -
PBTC
Clerk of Shri -
R. K. Nigam
Adm.
3/1/94
~~23/12/93~~

1. DETAILS OF THE PETITION:

This petition is being directed against the
arbitrary and illegal action of Respondent No. 2
and his Subordinate Officer (Respondent No. 3),
inasmuch as without any suspension order, without
any termination order or without any disciplinary
proceedings, the humble petitioner is being
ceased from the employment and is being deprived of
his legitimate wages.

2. JURISDICTION:

The humble petitioner has been working at

जवाहरराव कुशीराम Contd...2/-

Jhansi under the Respondents No. 2 & 3, hence it is declared that this Hon'ble Tribunal has the territorial jurisdiction to try this petition.

3. LIMITATION:

It is declared that that this petition is within time.

4. FACTS OF THE CASE:

4.1 That the humble petitioner has been working as casual labour under the Respondents in the Telephone Exchange at Jhansi ever since 1984.

4.2 That thereafter in Feb. 1991, the humble petitioner having put in adequate number of days was given MRCL status and was taken in the regular pay scale of Rs. 750-940 and ever since thereafter he has been drawing annual increment also.

4.3 That there is no complaint against the petitioner in regard to his working and on the other hand his immediate Supervisors are fully satisfied with the honest and faithful working of the petitioner as Helper to the Lineman in the Telephone Exchange.

4.4 That the Telephone Department comes under

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