

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 558 of 2003

Allahabad, this the 22nd day of 2003

QUORUM : HON. MR. S.K. AGRAWAL, MEMBER - A
HON. MRS. MEERA CHHIBBER, MEMBER- J

Mohan Lal son of Late Ram Harakh,
R/o Village Pakri, P.O. Motihan, Tehsil
Handia, Allahabad

.....Applicant

(By Advocate : Shri M.K.Mishra)

Versus

1. Union of India through the Secretary,
Ministry, of Defence, New Delhi.
2. Chief of the Army Staff,
Army Headquarter, New Delhi.
3. Commandant, 4, Infantry Division,
C/o 56 APD, Allahabad.
4. Lieutenant Colonel/Div.Commander/
Mess Secretary 'A' Officer's Mess,
Head Quarter-4, Infantry Division,
Allahabad.

.....Respondents

(By Advocate : Shri R.C.Joshi)

O R D E R (Oral)

BY HON.MR.S.K.AGRAWAL, MEMBER(A)

Applicant has approached this Tribunal for seeking relief for issue an appropriate order and direction to be commanding the respondents concerned to bring

the record of the case to get the order of termination of service passed in November 1999 against the petitioner and to issue a suitable order to respondent No.4 to decide the petitioner's representation dated 25.02.2003 for being reinstated in service and to pass a reasoned order within a ^{with} stipulated period of time.

2. The brief facts of the case are that the applicant had been taken in the employment of respondent No.1 in January 1995 and he was posted as a Gardner 'A' in the temporary capacity of Mess Head Quarter 4. Though no letter of appointment was issued to the applicant but Identity Card and Servant pass ^{were} ~~was~~ issued to the applicant by the respondents authorities. He has further submitted in the O.A. that applicant had served efficiently, deligently, sincerely and to the satisfaction of the respondents which becomes clear from the perusal of the appreciation letters issued to him by the department on 07.04.1993 and 09.04.1997. The services of the applicant ^{were} ~~later~~ on terminated by the respondent's oral order passed in November 1989 without giving any reason whereas the tenure of his service had been declared to be valid upto 31.10.2000 as indicated by the respondents in the Servants pass issued to the applicant. The applicant made various representations to the respondents i.e. on 29.11.2000, 13.12.2001 and 25.02.2003 for taking him back in service but the same have not been disposed of by the respondents authorities and are still pending with them.



3. Learned counsel for the applicant has prayed that necessary directions being issued to the respondents for disposal of the various representations submitted by the applicant and also directed that he will be taken back in the service. He has also mentioned that vide letter dated 19.12.2000 respondents have sent a letter addressed to the applicant ^{asking him} to enclose a copy of the appointment letter to take necessary action in respect of his representation submitted on 29.11.2000. In this regard, applicant had replied to the respondents on 21.01.2001 that no letter of appointment was ever issued to him and made a request to the respondents to take ^{him back} ~~back~~ in the service.

4. Respondents counsel Shri N.C. Nishad appeared and ^{he has} submitted that ~~no~~ instruction in the matter.

5. To meet the ends of justice we feel that it will be proper and appropriate to dispose of this application at the admission stage itself by giving a direction to the respondents to dispose of the various representations submitted by the applicant within a period of 3 months from the date of receipt of a copy of this order by a valid, reasoned and speaking order under intimation to the applicant.

5. With the above observations, O.A. is disposed of with no order as to costs.



Member (J)



Member (A)