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CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 09th day of February, 2004.

Original Application No. 601 of 2003.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.  
Hon'ble Mr. D.R. Tiwari, Member- A.

Vinod Kumar Yadav S/o Sri Gulab Yadav  
R/o Tesu par, Post Office- Mohammadpur, Hasanpur  
(Surajpur), Distt. Mau.

.....Applicant

Counsel for the applicant :- Sri S.K. Chaubey  
Sri A.N. Singh

V E R S U S

1. Union of India through the Secretary,  
M/o Defence, Govt. of India, New Delhi.
2. Senior General Manager,  
Ordnance Factory, Kalpi Road, Kanpur-208009
3. Joint General Manager Administration,  
Ordnance Factory, Kalpi Road, Kanpur-208009.

.....Respondents

Counsel for the respondents :- Sri V.V. Mishra

O R D E R

By Hon'ble Mr. Justice S.R. Singh, V.C.

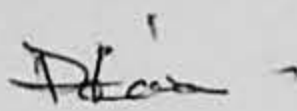
By letter dated 14.05.2002 the applicant was offered an appointment as Machinist Provisionally subject to production of two character certificates from the serving Gazetted officers at the Ordnance Factory, Kanpur on a starting pay of Rs. 2650/- per month in the scale of Rs. 2650-65-3300-70-4000 + admissible allowances. Terms and conditions of service are enumerated in the appointment letter dated 14.05.2002. By impugned order dated 01.06.2002 the appointment has been cancelled without assigning any reason. Despite stop order counter affidavit has not been filed. We, therefore, proceed to dispose of the O.A at the


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admission stage itself.

2. An offer of appointment vide letter dated 14.05.2002 appears to have been issued after the applicant had been selected pursuant to the interview held on 03.12.2001. In para 4.1 of the O.A it has been ascertained that the applicant appeared in the examination and faced the interview held for the purpose of selection for appointment to the post in question. It is submitted by the counsel that no illegality or irregularities were committed in the process of examination and the applicant was not given opportunity of showing cause.

3. We find substance in the submission made by the learned counsel for the applicant. The impugned order having been passed without assigning any reason and without affording any opportunity of showing cause to the applicant cannot be sustained. Accordingly the O.A succeeds and is allowed. The impugned order dated 01.06.2002 cancelling the appointment of the applicant is quashed. The applicant shall be entitled for consequential benefits. The respondents are however, given liberty to take appropriate action in accordance with law. No costs.

  
Member- A.

  
Vice-Chairman.

/Anand/