



CAT/J/13

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO./398/89
T.A. NO.

DATE OF DECISION 17-8-1994

Shri Raisinhg Saiba **Petitioner**

Mr. B.B.Gogia **Advocate for the Petitioner (s)**

Versus

Union of India & others **Respondent**

Mr. B.R.Kyada **Advocate for the Respondent (s)**

CORAM

The Hon'ble Mr. N.B.Patel : Vice Chairman

The Hon'ble Mr. V.Radhakrishnan : Member (A)

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

NO.

Shri Raisingh Saiba,
c/o, Dalsinghbhai Baijibhai,
Post Bahi,
Taluka Sahera,
Dist. Panchmahal

Applicant

Advocate Mr. B. B. Gogia

versus

1. Union of India,
owning and representing,
Western Railway, through:
General Manager,
Western Railway, Churchgate,
Bombay.

2. Dy. Chief Engineer (C) West,
Western Railway,
2nd floor, B.G. Station Building,
Railwaypura P.O.,
Ahmedabad.

Respondents

Advocate Mr. B. R. Kyada

ORAL ORDER

O.A. 398/89

Date: 17-8-94

Per : Hon'ble Mr. N. B. Patel, Vice Chairman

Mr. Gogia tenders a copy of office order
No. 155, dated 9-1-90, issued by Dy. Chief Engineer (C), Ajmer, ^{which} is
taken on record as Annexure A-3, ^{it} ~~which~~ shows that temporary
status is accorded to the applicant. By implication, therefore,
it appears that the impugned termination order is not to be
implemented. As temporary status ^{is} ~~has~~ accorded to the applicant,

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if his services are required to be terminated, the same will be obviously terminated by giving him necessary notice ^{of his} on the basis ~~that~~ ^L being a casual labourer having temporary status. Thus, the O.A. has become infructuous.

In view of this, Mr.Gogia seeks permission to withdraw the O.A. with liberty to file a fresh O.A., if any attempt is made to implement the impugned termination order or if any fresh termination order is passed or if any notice terminating the employment of the applicant is given.

Permission granted with liberty as prayed for. O.A. stands disposed of accordingly. No order as to costs.


(V.Radhakrishnan)
Member (A)


(N.B.Patel)
Vice Chairman

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