

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD

RA/M.A./O.A./ T.A. / 462 1989

M S Mackwana Applicant (s).

X B Desai Adv. for the  
Petitioner (s).

Versus

Union of India Respondent (s).

S. S. Jhaveri Adv. for the  
Respondent (s).

SR. NO.	DATE.	ORDERS.
1/11		Termination (Copy Served) PL issue notice 28/11 pending admission regd P.A with IR with IR to

1  
O.A./462/89

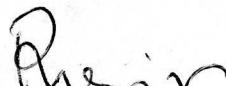
with

O.A./463/89

CORAM : Hon'ble Mr. P.H. Trivedi .. Vice Chairman

27/10/1989

Heard Mr. A.D. Desai and Mr. J.S. Yadav for Mr. J.D. Ajmera, learned advocates for the applicants and respondents respectively. The petitioners being daily rated employee is sought to be terminated by the end of this month. Learned advocate for the respondents would like to file reply citing the Supreme Court's decision on the basis of which a scheme prepared by the respondent in which preference is given to the regular employees or the employees who are having longer period of service with the department for which the applicants' services are going to be terminated by being substituted by such employees. Learned advocate for the respondents states that 10 days time may be allowed for filing reply. Pending admission, ad interim relief in terms of the respondents not terminating the petitioners until 8th November, 1989 for reply on interim relief and admission by the respondents be filed with copy to the petitioner. The matter be placed on 8th November, 1989 for admission and continuing interim relief.

  
( P H Trivedi )  
Vice Chairman

\*Mogera

Mahesh S. Makwana,  
227, Vruj Vallabhpura,  
Opp. Arvind Mill,  
Naroda Road,  
Ahmedabad.

.. Applicant

Versus

1. The Post Master General,  
Gujarat Circle,  
Navrangpura, Ahmedabad.
2. Union of India,  
Department of Posts,  
Ministry of Communication,  
New Delhi.

.. Respondents

CORAM : Hon'ble Mr. P.H. Trivedi .. Vice Chairman

Hon'ble Mr. G.S. Sharma .. Judicial Member

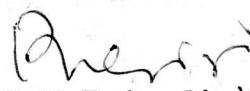
O.A./462/89

O R A L - O R D E R

8.11.1989

Per : Hon'ble Mr. P.H. Trivedi .. Vice Chairman

Heard Mr. A.D. Desai and Mr. J.S. Yadav for Mr. J.D. Ajmera, learned advocates for the petitioner and respondents respectively. Learned advocate for the respondents files a reply to the effect that the petitioner is not being terminated and there is no order of termination and there is no reasonable basis for apprehension until the orders are legally passed. Accordingly, the petition not admitted with the observation that the petitioner is free to approach the Tribunal as and when any orders regarding termination are passed, can need to be challenged. Accordingly, the petition is disposed of as being pre-mature.

  
( P H Trivedi )  
Vice Chairman

  
( G S Sharma )  
Judicial Member