

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

Tax & Alex

DATE OF DECISION 30.11.1992

Advocate for the Respondent(s)

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

The Union of India,
Through;
The Regional Provident Fund,
Commissioner,
Baroda.

... Applicant

Vs.

Shri Raju Alias Manojkumar Salat,
C/o Baroda District General Kamdar Union,
Salatwada, Vinoba Bhawe Road,
Baroda.

Respondent.

ORAL ORDER

O.A./466/92

Date: 30.11.1992


Per: Hon'ble Mr. N.V. Krishnan, Vice Chairman


1. Heard Mr. Akil Kureshi for the applicant.
2. This application is made against the award of the Industrial Tribunal in Reference No. ITG 17/91 whereby the order terminating the services of the workman i.e. the present respondent, from 28.4.1988 has been held to be illegal and that he will have to be reinstated in service with backwages.
3. When the application came up for admission, we noticed that the Tribunal has held that in either view of the matter, the termination is bad, meaning thereby *that*, if the workman had completed 240 days of service as stated by him, termination of services without following the procedure laid down in the Industrial Disputes Act will

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make the termination bad in law and alternatively, if he had not completed 240 days, his services could not have been terminate^d on account of alleged misconduct on his part, without following due procedure for dismissing the applicant by way of penalty. In this view of the matter, we see no irregularity in the award given by the Industrial Tribunal and therefore we find that the applicant, have not made out any case for our interfering in the matter under Article 227 of the Constitution of India. The application is therefore dismissed.


(R.C. Bhatt)
Member (J)


(N.V. Krishnan)
Vice Chairman

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