

NO
Termination

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 40/1993.
~~xxxxxx~~

DATE OF DECISION 1-2-1993

Ishwarbhai Amrabhai Maru, Petitioner

Mr. Girish Patel, Advocate for the Petitioner(x)

Versus

Union of India & Ors. Respondent s

Mr. Akil Kureshi, Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C.Bhatt, Judicial Member.

The Hon'ble Mr. V.Radhakrishnan, Admn. Member.

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? ✗

Ishwarbhai Amrabhai Maru,
Behind Sattellite Station
Near Ramdevnagar Bus Stand,
Ahmedabad.

..... Applicant.

(Advocate: Mr. Girish Patel)

Versus.

1. Govt. of India,
Notice through its
Secretary,
Deptt. of Space,
New Delhi.
2. Controller,
Space Applications Centre,
Govt. of India,
Ahmedabad.
3. Administrative Officer-I (Estt)
Space Application Centre,
Ahmedabad.

..... Respondents.

(Advocate: Mr. Akil Kureshi)

ORAL ORDER

O.A.No. 40/1993

Date: 1.2.1993.

Per: Hon'ble Mr. R.C. Bhatt, Judicial Member.

Heard Mr. Girish Patel, learned advocate for
the applicant and Mr. Akil Kureshi, learned advocate
for the respondents.

2. This application is filed by the applicant,
Gardner, serving with the respondents, seeking the
relief for a declaration that the condition No. 4
in the offer of appointment dated 8th January, 1992
at Annexure A as unconstitutional and violative of
Articles 14, 16 and 21 of the Constitution of India
and restraining the respondents from acting upon ^{it} _{or}
for taking any action in pursuance of the said


condition No. 4 at Annexure A and from terminating the services of the applicant in pursuance thereof. The respondents have appeared through learned advocate Mr. Akil Kureshi.

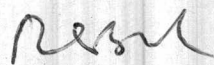
3. At the time of hearing of this application the learned advocate for the applicant submitted that the applicant has made a representation dated 23rd October, 1992 to the respondents vide Annexure A-4. The learned advocate for the respondents submitted that the said representation is under active consideration of the respondents who will sympathetically consider the said representation and dispose it of within three weeks. He also submitted that even if any order ^{known} of representation is given adverse to the applicant the respondents will not take any action nor ^{he} ^{he would} ^{be} when the respondents terminating the services ^{for me} at least of three weeks after the order of such representation. He also makes a statement at the bar that the respondents would certainly sympathetically consider the representation of the applicant for extension of time. The learned advocate for the applicant was satisfied with this statement made by the learned advocate for the respondents. Hence the application can be disposed of by the following direction to the respondents.

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ORDER

The respondent No.2 is directed to dispose of the representation of the applicant dated 23rd October, 1992 vide Annexure A-4 and to decide the representation according to rules and if possible ^{to ally in the same} ~~for sympathetic consideration of the applicant~~ within three weeks from the date of the receipt of the copy of this order. In case the respondent No.2 takes decision adverse to the applicant's interest, the respondents shall not terminate the service of the applicant for three weeks from the date of such order. Application is disposed of. No order as to costs.


(V. Radhakrishnan)
Member (A)


(R. C. Bhatt)
Member (J)

vtc.

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. QA/40/93 of 199

Transfer Application No. _____ Old Writ Pet. No. _____

C E R T I F I C A T E

Certified that no further action is required to be taken and the case is fit for consignment to the Record Room (Decided).

Dated : 17/3/93.

Countersigned :

ashep/22-393
Section Officer/Court Officer

H. Cugan
Sign. of the Dealing Assistant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT AHMEDABAD BENCH

INDEX SHEET

CAUSE TITLE GA/40/93. OF 19

NAMES OF THE PARTIES

Shari, J. A. Maly

VERSUS

VERSUS
U. A. J. & ASS.

PART A B & C

[illegible]