

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

O.A. No. 425/93  
T.A. No.

DATE OF DECISION 27-9-93

Kum. Sarlaben R. Patel

Petitioner

Shri K.C. Bhatt

Advocate for the Petitioner(s)

Versus

Union of Indian and Others

Respondent

Shri Akil Kureshi

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr.

N.B. Patel

Vice Chairman.

The Hon'ble Mr.

V. Radhakrishnan

Member (A)

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 ?

No

: 2 :

Kum. Sarlaben Ramanlal Patel  
Behind Post Office, Killa Pardi : Applicant

Advocate: Shri K.C. Bhatt

Versus

1. Union of India through  
The Director General  
Department of Posts  
Ministry of Communication  
Parliament Street, Dak Bhavan,  
New Delhi.
2. The Sr. Supdt. of Post Offices  
Valsad Division, Valsad-396 001.
3. The S.P.M., Killa Pardi 396125 : Respondents

Advocate : Shri Akil Kureshi

ORAL JUDGMENT

IN

O.A.425/1993

Date: 27/9/1993

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

The applicant challenges <sup>the</sup> ~~an~~ order terminating her services as Extra Departmental Stamp Vendor. The order terminating her services is based on the ground that there were certain defects in the procedure followed for her selection. It is an admitted position that, before terminating the <sup>appointment</sup> ~~services~~ of the applicant, which was after holding necessary procedure for selection, no notice giving opportunity to the applicant to show cause as to why her services should not be terminated was given to the applicant. There cannot, therefore, be any doubt that the termination order is liable to be quashed on the ground of want of hearing given to the applicant. In the circumstances, the termination order is set aside and the respondents are directed to give an opportunity of hearing to the applicant.

<sup>thought</sup>  
if so ~~think~~ fit by them now, as to why her services should not be terminated on the ground of some defects in the procedure. The applicant ~~thus~~ continues in service at present and, if after giving an opportunity of hearing to the applicant, the respondents pass any order terminating her service, they are directed not to implement such order of termination of the applicant's service for a period of 15 days from the date of the communication of termination order to the applicant. The respondents are further directed to pass a reasoned order in the event of their passing an order terminating the service of the applicant.

2. In view of these directions, Mr. Bhatt seeks permission to withdraw the application with liberty to file a fresh application, if so desired by the applicant, in the event of any termination order passed against her. No order as to costs.



(V. Radhakrishnan)  
Member (A)



(N.B. Patel)  
Vice Chairman

\*AS.

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

Application No. OA/425/93 of 199

Transrer 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 ift for consignment to the Record Room (Decided).

Dated : 08/10/93

Countersigned :

AH Revol  
11-11-93  
Section Officer/Court Officer

mm  
Sign. of the Dealing Assistant.

