

11-4

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No. 341 of 1992

Date of decision: 6.5.1994.

Upendra Kumar Dip

...

Applicant

Versus

Union of India & Others

...

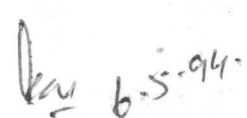
Respondents

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not? NO
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not? NO


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

06 MAY 94


(K.P. ACHARYA)
VICE CHAIRMAN

5

7

COR AM:

K.P.ACHARYA,V.C.

Opposite Party No.2 had appointed the petitioner as a Medical Assistant on probation, in the Hospital attached to the Ordnance Factory at Bolangir. Vide order No.248 dated 5th May,1992, services of the petitioner having been terminated, this application has been filed with a prayer to quash the impugned order of termination.

2. In their counter, the Opposite Parties maintain that the work discharged by the petitioner (while on probation) was far from satisfactory and no stigma having been attached to the impugned order.

of termination of services of the petitioner and the petitioner not having gained any right to the post in question, the termination order should not be quashed - rather it should be sustained.

3. We have heard Mr. Hota learned counsel for the petitioner and Mr. Aswini Kumar Misra learned ^{assisted} by Mr. U.B. Mohapatra. Senior ~~Panel~~ Standing Counsel (Central). It was urged by Mr. Hota that though the impugned order of termination is innocuous one and no stigma has been given in the impugned order of termination, yet if one lifts the veil, ^{one} would find that the order of termination has resulted from illegal motives for which Article 311 should have been attracted.

4. We have carefully gone through the records of the case including the pleadings of the parties and the relevant documents. We are of opinion that the impugned order is a termination simplicitor. The work discharged by the petitioner not having been to the satisfaction of the concerned authority, the services of the petitioner was dispensed with in the interest of administration.

5. In the circumstances stated above, we do not feel inclined to hold that this is a fit case for interference. Therefore, the case is devoid of merit stands dismissed. No costs.

.....
MEMBER (ADMINISTRATIVE)

06 MAY 94

Central Admn. Tribunal,
Cuttack Bench/K. Mohanty.

6.5.94

.....
VICE CHAIRMAN

by *[Signature]*
6.5.94