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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
J O D H P U R.

Date of Order: 16.3.1995.

O.A. No.117 of 1995.

Bheru Singh

... APPLICANT

vs.

Union of India & Ors.

... Respondents.

Mr. J.K. Kaushik, Counsel for the Applicant.

CORAM:

Hon'ble Ms Usha Sen, Administrative Member.

BY THE COURT:

Heard the learned Counsel for the applicant.

2- The case of the applicant is that while holding the post of Senior Bus Cleaner under the respondent No.3 he was asked to perform the duties of a Vehicle Driver on ad-hoc basis for 45 days vide the order dated 30.6.1994 (Annexure A/5). It was mentioned in this order that the applicant would be liable to reversion to his substantive post on the availability of a regularly selected Vehicle Driver.

3- The applicant states that he appeared in the trade test for the post of Vehicle Driver and a viva voce was also held on 29.10.1993. However, the result of the trade test has not yet been announced. Now, he has been ordered verbally to revert back to his duties as a Senior Bus Cleaner. The verbal order as stated by the applicant has been communicated to him on 5.3.1995. The applicant has prayed that there is no trade test passed candidate available for filling up the post of a Vehicle Driver

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with the respondent No.3 which is lying vacant and so there is no reason why he should not be allowed to continue as a Vehicle Driver.

4- In view of the facts of the case I consider that the applicant ~~can~~^{may} make a representation to the respondents in the matter bringing out the points of his grievances. The respondents are hereby directed that in case such a representation is received they may consider it and give a reasoned reply to the same within a period of one month from the date of receipt of the representation from the applicant. They may also consider the feasibility of allowing him to continue as a Vehicle Driver if that would not be prejudicial to the public interest, till his representation is decided. with this direction, the QA is disposed of at the admission stage. A copy of the QA may be sent to the respondents alongwith a copy of this order.

Usha
(USHA SEN)
Member (A)