

715

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 4.12.95

OA No. 483/1995

Bachna Ram ... Applicant.

versus

Union of India & Ors. ... Respondents.

Mr. S.K. Malik, Counsel for the applicant.

Mr. R.K. Soni, Counsel for the respondents.

CORAM:

Hon'ble Shri Gopal Krishna, Vice Chairman.

Hon'ble Ms. Usha Sen, Administrative Member.

....

PER HON'BLE SHRI GOPAL KRISHNA:

Applicant, Bachna Ram, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, seeking a declaration that the impugned order dated 25.10.95 at Annexure A/1 by which he was relieved of the post of Khallasi under the Inspector of Works, Rai-Ka-bagh, Jodhpur and directed to report to the Assistant Engineer (Spl), Jodhpur, for appointment as a Khallasi in the Track Depot, Bhagat-Ki-Kothi, Jodhpur, is illegal and the same is liable to be quashed. It is also prayed that the applicant should be declared regularised/appointed on the post of Khallasi (Group-D) with effect from 16.10.94 with all consequential benefits.

2. we have heard learned counsel for the parties. we have gone through the records of the case carefully. The parties' counsel have agreed to this matter being disposed of at the stage of admission.

3. The applicant has made a representation dated 3.11.95 (Annexure A/4) in regard to his grievance stating therein that he was given a regular appointment as a Khallasi under the Assistant Engineer, Jaisalmer, after due screening. He contends that he could not be transferred to another sub-division without his request. The applicant wants the representation to be decided on merits. The learned counsel for the respondents has no objection to it.

4. We, therefore, direct the respondents to decide the representation at Annexure A/4 dated 3.11.1995 through a speaking order on merits within three months from the date of receipt of a copy of this order. However, the operation of the impugned order dated 25.10.95 at Annexure A/1 shall remain stayed till a decision is taken by the respondents on the representation of the applicant at Annexure A/4. The OA is disposed of accordingly with no order as to costs.

Usha Sen
(USHA SEN)
MEMBER (A)

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

cvr.