

I/6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH

JODHPUR

Date of Order: 21.8.95.

O.A.No.54/95.

Babu Lal Mali

... Applicant.

Versus

Union of India & Ors.

... Respondents.

Mr. D.K.Chauhan, Counsel for the applicant.

Mr. S.S.Vyas, Counsel for the respondents.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.

Hon'ble Ms Usha Sen, Administrative Member.

PER HON'BLE MR. GOPAL KRISHNA :

Applicant Babu Lal Mali, has prayed in this application under Section 19 of the Administrative Tribunals Act, 1985, for a direction to the respondents to allow him to join his duties and to pay salary from 2.4.93 onwards.

2. We have heard the learned counsel for the parties and have gone through the records of the case.

3. The applicant was appointed as Cleaner in the office of the Foreman, Loco Shed at Churu. He states that he was prevented by respondents No. 3 & 4 from joining duty from 2.4.93 and the leave for the period

*G.K.M.*

...2.

:: 2 ::

from 28.3.93 to 1.4.93 was not sanctioned when the applicant reported for duty to the respondent No.4 on 2.4.93. The applicant was directed by respondent No.4 to report for duty to respondent No.3. The applicant has been served with a chargesheet on 18.5.94 for remaining absent from duty with effect from 28.3.93 to 22.3.94 vide Annexure A/11. The contentions of the respondents are that the applicant remained unauthorisedly absent from duty and when the respondent No.4 directed him to present himself before respondent No.3 for further orders in this connection, he did not turn up before the respondent No.3 for obtaining orders for duty for reasons known to him. It has also been stated that the respondent No.4 did not refuse to take him on duty but he had directed him to appear before the respondent No.3 for further directions. The respondents contend that in spite of order Annexure R/1, the applicant had not reported for duty and remained absent unauthorisedly. The applicant made his last representation in regard to his grievance vide Annexure A/10 dated 12.8.94 which has not been disposed of. The learned counsel for the applicant wants the same to be disposed of through a speaking order.

4. In the circumstances, we dispose of this O.A. with a direction to the respondent No.3 to decide the representation made by the applicant on 12.8.94 vide Annexure A/10 on merits meeting all the points raised therein within a period of two months from the date of receipt of a copy of this order. No order as to costs.

*Usha Sen*  
( Usha Sen )  
Member (Adm.)

M./V.S.

*Gopal Krishna*  
( Gopal Krishna )  
Vice Chairman.