

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.599/2008

Dated the 26th day of November, 2008.

CORAM :

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

Sobbin Varkey, Research Associate,
NAIP-R, MSSP Project,
Central Institute of Fisheries Technology,
Kochi-682 029, residing at Vadakkeveettil,
Nethaji Nagar, NNRA 55,
Edappally North, Kochi-24. ... Applicant

By Advocate Mr.P.Ramakrishnan

V/s.

- 1 Union of India, represented by the Secretary,
Department of Agricultural Research &
Education, Krishi Bhavan, New Delhi
- 2 The Indian Council of Agricultural Research,
Krishi Anusandhan Bhavan, New Delhi-10
represented by its Director General.
- 3 Central Institute of Fisheries Technology,
W/Island, Matsyapuri PO, Kochi
represented by its Director,
- 4 The Senior Administrative Officer,
Central Institute of Fisheries Technology,
W/Island, Matsyapuri, Koch-29
- 5 M.Nassar, Principal Scientist & CPI,
NAIP, RHSSP Project, CIFT,
W.Island, Matsyapuri PO, Kochi-29. ... Respondents

By Advocate Mr.T.P.Sajan (R.2-4)

Mr.TPM Ibrahim Khan, SCGSC(R.1)

This application having been heard on 26th November, 2008, the Tribunal
on the same day delivered the following

(ORDER)

Hon'ble Dr.K.B.S.Rajan, Judicial Member

Applicant is aggrieved by the impugned order dated 26.8.2008



whereby on account of alleged negligence at his work, his services were sought to be terminated by giving a month's notice, the termination becoming effective from 25.9.2008. According to the applicant, the aforesaid order attaches stigma to the career of the applicant and as such, prima facie, it is illegal. However, the counsel for applicant submits that if the termination order is modified deleting the sentence, "negligent at his work", the applicant is having no objection. Yet another grievance of the applicant is that termination is with effect from 25.9.2008 and salary for the period 1.9.2008 to 25.9.2008 has not so far been paid to him.

2 In the course of arguments, a suggestion was made by this Bench as to the possibility of the applicant submitting a resignation letter effective from 25.9.2008 in which case, the aforesaid order could be treated as canceled and the resignation accepted.

3 There does not appear to be serious objection to the same from counsel for respondents. The applicant is to submit a resignation effective from 25.9.2008 in which event, the respondents may accept the same and withdraw their earlier Annexure A-2 letter dated 26.8.2008. With regard to payment of salary, action may be taken by respondents in accordance with law. No orders as to costs.


K.B.S. RAJAN
JUDICIAL MEMBER

abp