

(AS)

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

Original Application No. 228/1990

Mohd. Irshad Khan

Applicant.

versus

Union of India & Others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon. Mr. K. Obayya, Adm. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was appointed as Extra Departmental Branch Post Master and he took charge of the ~~said~~ office Sursaini District Unnao. The appointment of the applicant was made in accordance with rules. The applicant worked upto 2.5.90 and his services were terminated. The order of termination was challenged in the Tribunal and the interim order was granted, by virtue of which he has been working.

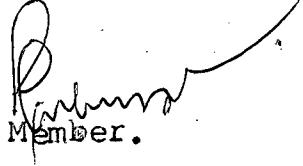
2. According to the respondents, the appointment order of the applicant was quashed on the complaint made by one Shri Abdul Jabbar after reviewing the matter. Shri Abdul Jabbar has filed affidavit stating that he did not file any complaint.

3. Even if there was no complaint, when the applicant was regularly appointed, his services could not have been terminated without giving him opportunity of hearing. No opportunity of hearing was given to him

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and as such the order of termination is violative of principles of natural justice and deserves to be struck down. The order dated 2.5.90 is quashed. It will be open for the respondents to act according to law and in case there is no complaint he may be given appointment. While making enquiry, the applicant may be associated after giving opportunity of hearing to him.

  
Adm. Member.

  
Vice Chairman.

Shakeel/-

Lucknow: Dated: 25.2.93.