

Central Administrative Tribunal, Circuit Bench

Lucknow.

Registration (O.A. No. 280 of 1990)

Hari Shankar

... Applicant

Vs.

Union of India & others

... Opp. Parties

Hon'ble Mr. D.K. Agrawal, JM

Hon'ble Mr. K. Obayya, AM

J U D G M E N T

(Delivered by Hon'ble DK Agrawal, JM)

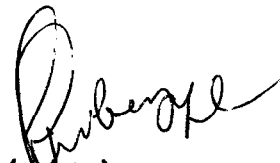
This application under Section 19 of the Administrative Tribunals Act, 1985, is directed against the verbal threat alleged to have been extended to the applicant on 28-7-1990. The facts are that the applicant was given an appointment for three months vide Annexure 11-A on 1-6-1990. By virtue of the said order, the appointment of the petitioner would come to an end on 31st August, 1990. Therefore, the said term of appointment of the petitioner would come to an end on 31-8-1990 only on account of the fact of the alleged threat, which in our opinion, is misnomer. Prior to approaching the Tribunal, the applicant ought to have exhausted the alternative remedy available to him under Section 20 of the Administrative Tribunals Act, 1985, but it appears that no such representation has been made. A representation dated 17-8-1990 marked Annexure-15 does appear on record which contains the prayer for transfer of the applicant to some other section. The said representation is not for regularisation of service. However, we feel that the respondent-2

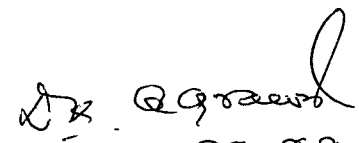
DK Agrawal

(72)

should be directed to look into the state of affairs and consider the regularisation of the applicant in accordance with the rules. We are ^{therefore} ~~further~~ of the opinion that this petition is liable to be dismissed summarily with a direction to respondent no. 2 to consider the regularisation of the applicant in accordance with the rules.

2. The petition is accordingly dismissed
ist-limine.


(A.M.)


(J.M.) 29.8.90

Dated : Lucknow
August 29, 1990.

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