

(14)

In the Central Administrative Tribunal, New Bombay Bench,
New Bombay

REGN. NO. T.A. 214/87
(Old C.W.P. No. 479 of 1981)

Decided on: 19.10.90.

Sh. Chandrakant Dewayya Deshmukh, MBBS., resident of Bhanapeth,
Chandrapur-442401.

...Applicant

Vs.

1. Union of India through the Secretary, Ministry of Defence,
New Delhi.

2. The Chairman/Director General, Ordnance Factory, 6,
Esplanade East, Calcutta: 700 069.

3. The General Manager, Ordnance Factory, Chanda.

...Respondents

CORAM :- Hon'ble Mr. P. S. Chaudhuri, Member (A).
Hon'ble Mr. S. K. Jain, Member (J).

...

Appearances:

Mr. C. S. Dhabe, Advocate for the Applicant.

Mr. Ramesh Dharda, Advocate for the Respondents.

...

JUDGMENT

S. K. Jain, JM:-

Shri D. D. Deshmukh, applicant, after passing his M. B. B. S. Examination in the year 1972 and completion of his internship, applied for appointment to the post of Assistant Surgeon Grade I under the Ministry of Defence and secured an appointment from the Director General, Respondent No. 2, on 16.1.74 (Annexure 1). He was appointed on temporary/ad hoc basis initially for a period of one year or till the U.P.S.C. nominated a suitable candidate, whichever was earlier. The applicant joined his duties

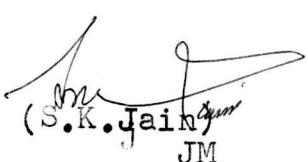
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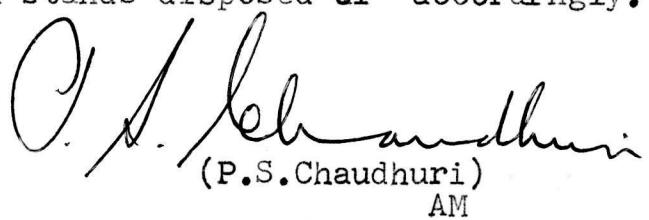
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at the Ordnance Factory, Chanda on 16.1.1974. He continued in service till his services were terminated through order dated 3.7.80 received by him on 15.7.80 (Annexure:2). His services were terminated under the provisions of Rule 5(1) of the C.C.S. (Temporary) Services Rules, 1965 with one month's notice with effect from 15.8.80. The applicant filed an appeal/representation (Annexure 4) dated 12.8.80 which was still pending at the time, the writ petition No. 479 of 1981 (now T.A. No. 214 of 1987) was filed. During the hearing of the O.A. the learned counsel for the applicant submitted that the applicant will be satisfied if an appropriate direction is issued for the disposal of the appeal/representation by Respondent No.2 expeditiously. The learned counsel for the respondents has not resisted this prayer.

2. In the circumstances, we direct, Respondent No.2, to dispose of the appeal/representation (Annexure 4) by 28.2.1991 on merits, by recording a speaking order, a copy of which will be made available to the applicant on or before 7.3.91, so that the applicant, may, in case his grievances still survive, make a fresh application for seeking the necessary redress. It will also be open to the applicant, in case he feels that the appeal/ representation (Annexure 4) does not reflect his grievances fully, to make a fresh representation within one month with advance copy to the learned counsel for the respondents, Mr. Ramesh Darda, Advocate. The transferred application stands disposed of accordingly.


(S.K. Jain)
JM

"desh"
10.10.90


(P.S. Chaudhuri)
AM

12-10-1991