

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 1013=/1996

Date of Decision: 25/10/96

Kum. Mandodari Purushottam Parekar Petitioner/s

Shri L.M. Acharya

Advocate for the
Petitioner/s

V/s.

A.O. II, Commander Works Engineers, Respondent/s
Naval Works, Dr. Homi Bhabha Road,
Navy Nagar, Colaba, Mumbai-400 005.

Advocate for the
Respondent/s

CORAM:

Hon'ble Shri **B.S. Hegde, Member (J)**

Hon'ble Shri **P.P. Srivastava, Member (A).**

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?

abp.


(B. S. HEGDE)
MEMBER (J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GULESTAN BLDG.NO.6,PRESCOT RD., 4TH FLOOR,
MUMBAI - 400 001.

ORIGINAL APPLICATION NO.1012/96.

DATED THIS 25TH DAY OF OCTOBER, 1996.

CORAM : Hon'ble Shri B.S.Hegde, Member (J).

Hon'ble Shri P.P.Srivastava, Member (A).

Kumari Mandodari Purushottam Parekar,
Village-Alibaug, District-Kulaba Division,
Mumbai.

... Applicant.

By Advocate Shri L.M.Acharya.

v/s.

1. A.O.II, Commander Works,
Engineers, Naval Works,
Dr.Homi Bhabha Road,
Navy Nagar, Colaba,
Mumbai - 400 005.

2. Union of India,
A.O.II, Commander Works,
Engineers, Naval Works,
Dr.Homi Bhabha Road,
Navy Nagar, Colaba,
Mumbai - 400 005.

... Respondents.

I O R D E R I

I Per Shri B. S. Hegde, Member(J) I

Heard Shri L.M.Acharya for Applicant.

He states that the applicant came to be appointed on 6/12/1993 as peon in respondents office, In the caste certificate submitted by applicant, the scrutiny Committee of the State of Maharashtra took the step and initiated proceedings against the applicant and held the caste certificate submitted by the applicant as invalid.

She is apprehensive that on the basis of the above facts, the respondents are likely to issue order of dismissal/ her services are likely to be terminated.

The respondents are directed to give a notice of

Ho


15 days if the services of the applicant is likely to be terminated., so that she is at liberty to approach the Tribunal.

OA is disposed of with the above directions to respondents.

Shri R.K. Shetty takes notice on behalf of respondents.

Copy of the order be given to parties.


(P.P. SRIVASTAVA)
MEMBER (A))


(B.S. HEGDE)
MEMBER (J)

abp.

Dated: 20.4.1998 (50) R.P.NO.110/96

Applicant in the OA. and his counsel absent. Respondents' counsel is present and heard on the R.P. filed by them.

2. By order dated 25.10.1996 the OA. was disposed of with an observation that in case the respondents terminate the services of the applicant, they must give 15 days' notice. Now by virtue in this R.P. the respondents have stated that there is no question of giving any notice to the applicant since the applicant's services have been terminated on 17.7.1996 which they have made it clear in the reply filed in the OA. The respondents have also produced a copy of the order of termination dated 17.7.1996.

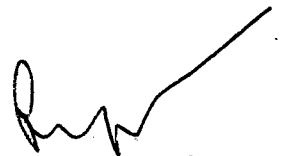
Since the order of termination has already been issued on 17.7.1996 about three months prior to the date of dismissal of the OA., there is an error apparent on the record in the OA. by giving a direction to the respondents that they should give 15 days' notice of termination when termination has already been there about three months before the order of OA. Accordingly, we allow this R.P. and the order dated 25.10.1996 is hereby reviewed and the observation made in the order dated 25.10.1996 that respondents are directed to give 15 days' notice to the applicant of her termination is hereby ordered to be deleted. Review application is accordingly allowed. In the circumstances of the case, there will be no orders as to costs.



(P.P. SRIVASTAVA)

M (A)

mrj.



(R.G. VAIDYANATHA)

VC

order/judgment despatched
to Applicant/Respondent(s)
on 29/4/98

29/4