

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE 7TH DAY OF APRIL, 1987

Present: Hon'ble Justice Shri K.S.Puttaswamy..Vice-Chairman
Hon'ble Shri L.H.A. Rego ..Member(A)

APPLICATION No.1604/86(F)

C.Kullan,
Casual Labourer,
National Tuberculosis
Institute, Bangalore.

.. Applicant

(Shri R.Madhusudan .. Advocate)

VS

1. Administrative Officer,
National Tuberculosis
Institute, No.8,
Bellary Road, Bangalore-3.

2. V.Venkateshan,
Casual Labourer,
National Tuberculosis
Institute, No.8,
Bellary Road, Bangalore-3.

(Shri M.S.Padmarajiah .. Advocate)

This application has come up before the Court
today. Hon'ble Justice Shri K.S.Puttaswamy, Vice-Chairman
made the following:

O R D E R

In this application made under Section 19 of
the Administrative Tribunals Act, 1985, the applicant
has challenged the office order No.F.3/17/85/Estt/173
dated 12-8-1985 (Annexure-C) passed by the Administrative
Officer, National Tuberculosis Institute, Bangalore.
By this order, the applicant, who had been appointed

...2/-

as Casual Labourer on daily wage basis stands terminated with effect from 13-8-85AN.

2. The applicant has urged that in terminating his services, the principle of 'last come first go' had not been followed contravening Articles 14 and 16 of the Constitution. In their reply, the respondents have denied this assertion of the applicant. Apart from this, the respondents have set out various circumstances justifying the termination of the applicant.

3. Shri R. Madhusudan, learned counsel for the applicant, contended that the termination of the services of the applicant without observing the principle of 'last come first go' is violative of Articles 14 and 16 of the Constitution.

4. Shri M.S. Padmarajaiah, learned Senior Standing Counsel, appearing for the respondents, sought to support the termination of the applicant.

5. At no time the applicant had been appointed as a temporary or permanent Government servant of the Institute. He had only been appointed only as a casual labourer on daily wages to meet the emergent requirements of the office. If that is so, the principle of last come first go cannot be properly invoked by him at all. Even otherwise, the respondents have also asserted that in terminating the services

of the applicant, the principle of last come first go had not been violated. We have no reason to disbelieve the same. In this view also, the challenge of the applicant to his termination cannot be interfered with by us.

6. In the light of our above discussion, we hold that this application is liable to be dismissed. We therefore dismiss this application. But in the circumstances of the case, we direct the parties to bear their own costs.

As. Pruthi
Vice-Chairman

7/4/87

[Signature]
Member(A) 7-4-87

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 3-7-87

Review Application No. 87/87(F) /86()
In Application No. 1604/87(F)

XXXXXX

Applicant

C. Kullan
To

V/s. The Administrative Officer, National Tuberculosis
Institute & enr.

1. Shri.C.Kullan,
U- 47, Purneswara Block,
IInd Cross, Palace Guttahalli,
B'lore- 3.

XXXXXX

2. Shri.M.Radhusudan,
Advocate,
No.1074-1075,
BS.K.I Stage,
Sreenivasanagar II Phase,
B'lore- 50.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN

Review APPLICATION NO. 87/87

Please find enclosed herewith the copy of the Order/~~Interim Order~~
passed by this Tribunal in the above said Application on 26-6-87.

Encl : as above.

Hare
SECTION OFFICER
(JUDICIAL)

Balu*

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 26th DAY OF JUNE, 1987

Present : Hon'ble Justice Sri K.S.Puttaswamy Vice-Chairman

Hon'ble Sri L.H.A.Rego

Member

REVIEW APPLICATION No.87/87

C.Kullan,
Casual Labourer,
National Tuberculosis Institute,
Bangalore.

(Sri M.R.Achar

...

... Advocate)

Applicant

Vs.

Administrative Officer,
National Tuberculosis Institute,
No.8, Bellary Road, Bangalore-3.

V.Venkateshan, Casual Labourer,
National Tuberculosis Institute,
No.8, Bellary Road, Bangalore-3.

Respondents.

This application has come up before the Court today.

Hon'ble Justice Shri K.S.Puttaswamy, Vice-Chairman made the following :

O R D E R

This is an application made by the applicant for review of an order made by us on 7.4.1987, dismissing his application No.1604/86.

2. The order was dictated in the open court. But the application is made on 18.6.1987 and in making the same there is a delay of 42 days. The applicant has not filed any application for condonation of delay in making the application.

3. An application for review has to be made within 30 days from the date of order (vide Rule 17 of the Central Administrative(Procedure) Rules, 1986) which has not been done by the applicant. Hence this application is liable to be rejected as barred by time. We, therefore, reject this application as barred by time.



SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

VICE-CHAIRMAN

MEMBER (A)(A)