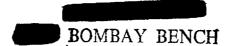
CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL



O.A. No. 622/91

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DATE OF DECISION 18-8-92

Rajaram Walu Borade	Petitioner
Mr. Y R Singh	Advocate for the Petitionerts)
Versus	,
Union of India	Respondent
Mr. P.M. Pradhan	Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice S K Dhaon, Vice Chairman

The Hon'ble Mr. M Y Priolkar, Member (A)

- 1. Whether Reporters of local papers may be allowed to see the Judgement?
- 2. To be referred to the Reporter or not?

3. Whether their Lordships wish to see the fair copy of the Judgement?

4. Whether it needs to be circulated to other Benches of the Tribunal?

MGIPRRND-12 CAT/86-3-12-86-15,000

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No

V.C.



OA No. 622/91

Rajaram Walu Borade Labourer/Unskilled R/O. Qr.No.5/5-Type-J; Ordnance Factory Estate Jawaharnagar Bhandara

.. Applicant

V/s.

Union of India through General Manager Ordnance Factory Jawaharnagar Res. Post. Jawaharnagar 19. Dist. Bhandara

.. Respondent

Coram: Hon.Shri Justice S K Dhaon, V.C. Hon.Shri M Y Priolkar, Member (A)

APPEARANCE:

Mr. YR Singh Counsel for the applicant

Mr. P M Pradhan Counsel for the respondents

ORAL JUDGMENT: DATED: 18-8-1992 (PER: S K Dhaon, Vice Chairman)

Deputy General Manager (Adm.) striking of the applicant from the strength of the Ordnance Factory with effect from the said date is being impugned in the present application. It appears that the applicant was appointed on compassionate grounds. On 31.7.91 the Deputy General Manager (Adm.) served a show cause notice to the applicant calling upon him to show cause as to why appropriate action should not be taken as at the time of employment he had supressed the fact that his

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brother Shri Suresh Borade was serving in Indian

Military. The applicant furnished a reply, therein

he categorically stated that his brother had not

been heard of for last several years and neither

he nor his members of the family were aware of

the fact that the said brother was employed in

the Army.

After the receipt of the reply_impugned order was passed.

we had directed Shri Pradhan, learned counsel for the respondents to produce the relevant record before us. That has been done. It appears that instead of adjudicating upon the please raised by the applicant in his representation against the show cause notice, the impugned order was passed and couched in the usual language that his services were no longer required. That was a mere camouflage. The order, therefore, is not sustainable.

The application succeeds and is allowed.

The impugned order dated 17.8.91 is quashed. The applicant will be entitled to the usual benefits under this order. There shall be no order as to costs.

(M Y Priolkar) Member(A) (S K Dhaon) Vi**c**e Chairman

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