

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. No. 622/91
~~XXXXXX~~

198

DATE OF DECISION 18-8-92Rajaram Walu Borade PetitionerMr. Y R Singh Advocate for the Petitioner(s)

Versus

Union of India RespondentMr. 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?

No

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

Sny
V.G.

(1)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, "GULESTAN" BUILDING NO.6
PRESCOT ROAD; BOMBAY-1

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
Tq. 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)

✓ By the order dated 17.8.91 passed by the
Deputy General Manager (Adm.) striking off 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 suppressed the fact that his


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 ^{the} 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 ^{the} 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 pleas ^{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)
Vice Chairman