

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

CIRCUIT SITTING AT NAGPUR

O.A. NO: 536/91

199

T.A. NO: _____

DATE OF DECISION 10-3-1992

Vilas Rajeshwar Aglave

Petitioner

Mr. M. M. Sudame

Advocate for the Petitioners

Versus

Union of India and ors.

Respondent

Mr. S. V. Manohar

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice U.C. Srivastava, 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 ? ✓


(U.C. SRIVASTAVA)

mbm* MD

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

(6)

O.A.536/91

Vilas Rajeshwar Aglave,
r/o. 125, Surendra Nagar,
Nagpur - 15.

.. Applicant

vs.

1. Union of India
through
Secretary,
Ministry of Information & Broadcasting,
Sastri Bhavan,
New Delhi.

2. The Director General,
Doordarshan Kendra,
Mandi House,
New Delhi.

3. Director,
Doordarshan Kendra,
Nagpur. .. Respondents

Coram: Hon'ble Shri Justice U.C.Srivastava,
Vice-Chairman.

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

Appearances:

1. Mr.M.M.Sudame
Advocate for the
Applicant.

2. Mr.S.V.Manohar
Advocate for the
Respondents.

ORAL JUDGMENT: Date:10-3-1992
(Per U.C.Srivastava, Vice-Chairman)

The applicant holds Diploma in video
production from S.V.Government Polytechnic, Bhopal.
In pursuance of an advertisement in the Employment
News dtd. 4.10-11-89 for the post of Video Editor
the applicant applied for the same. The applicant
was selected and was given an appointment vide
order dtd. 6-5-1991 and he was placed on probation
for a period of two years with effect from 27th
March, 1991. Abruptly vide order dtd. 20-5-91/21-5-91
his services were discontinued which is the subject
matter challenged in this application.

(P)

2. On behalf of the applicant it was contended that when the applicant was placed on probation for a period of two years without ~~there~~ there being anything against him his services should not have been terminated that too without giving him an opportunity.

3. On behalf of the respondents it was contended that in view of the directions given by the Principal Bench in the case of Anil Mathur v. Union of India, O.A.563/86, decided on 5-10-1990 in which a direction was given to frame a particular scheme and appointments were prohibited, Unaware of this judgment the applicant's appointment was made and as soon as the said judgment was brought to the notice of the appointing authority there was no option but to discontinue the ~~appo~~ appointment, which appointment was made in the face of prohibitory order and could not have been made. Learned counsel further stated that even if the post of Video Editor is not mentioned in the said order but when the scheme is framed one post will be offered to the applicant and in case the applicant is agreeable to join the post he will be reappointed as for no fault of the applicant his services were terminated and for appointment also he was not responsible. With the above observation this application is disposed of finally.


(M.Y.PRIOLKAR)
Member(A)


(U.C.SRIVASTAVA)
Vice-Chairman

MD