

(6)

Original Application No. 743/91

Tribunal's Order.

Dated: 21.7.92

Mr. M.S. Ramamurthy, counsel for the applicant. Mr. J.G. Sawant, counsel for the respondents.

A counter affidavit has been filed. Learned counsel for the parties have been heard.

Indisputably, the applicant acquired a temporary status on or before 22.9.87. On that day, he was discharged from service. Indisputably no proceedings as required by the relevant rules were taken and, therefore, it is apparent that the services of the applicant were terminated without affording any opportunity, whatsoever, of a hearing.

This application succeeds and allowed. The order dated 22.9.87 discharging the applicant is quashed. The applicant shall be reinstated. However he will not be entitled to any emoluments during the period of his absence from duty. We also make it clear that it will be open to the respondents to take appropriate proceedings, in accordance with law, as against the applicant, if they so desire. It is clarified that the applicant shall be entitled to the continuity of his service.

With these directions this application is disposed off.


(M.Y. PRIOLKAR)
MEMBER (A)


(S.K. DHAON)
VICE CHAIRMAN

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