

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. NO: 641/92

199

XXAXXNG:

DATE OF DECISION 16.9.1992

Shri G.K. Thule Petitioner

Shri R.D. Gupta Advocate for the Petitioners

Versus

Union of India & Others. Respondent

Shri Ramesh Darda 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 ?

Sug
Vice Chairman.

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(3)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, CAMP : NAGPUR.

O.A.641/92.

Shri Gajanan K. Thule,
r/o Palasgaon (Abaji),
Post Nandora Tahsil Deoli,
District Wardha (MS).

.. Applicant.

Vs.

1. Union of India, through
Secretary to the Govt. of
India, Ministry of Defence,
New Delhi.
2. Director General of Ordnance
Services Army Headquarters,
M.G.O.'s Branch,
New Delhi.
3. Commandant,
Central Ammunition Depot,
Pulgaon Camp - 442 303,
Dist. Wardha (MS).

.. Respondents.

Coram : Hon'ble Shri Justice S.K. Dhaon, Vice Chairman.
Hon'ble Shri M.Y. Priolkar, Member (A).

Appearances :

Shri R.D. Gupta, Counsel
for the applicant.

Shri Ramesh Darda, Counsel
for the Respondents.

ORAL JUDGMENT :

Date : 16.9.1992.

I Per : Hon'ble Shri S.K. Dhaon, Vice Chairman I.

The order dated 7.8.1990 passed by the Brig.
Commandant terminating the services of the applicant is
being impugned in the present application.

2. According to the impugned order the applicant
was a probationer, ^{as} Be that it may, the order is based on
an imputation of misconduct as against the applicant. It
is apparent that the order was passed without affording
any opportunity of hearing to the applicant. That could
not be done, The order is, therefore, not sustainable.

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O.A.641/92.

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3. Shri Darda, Learned Counsel for the respondents has been heard in opposition ~~to this application~~. The order dtd. 7.8.1990 is quashed. It will be open to the authority concerned to pass a fresh order, if it is so advised, in accordance with law.

4. There shall be no order as to costs.


(M.Y. PRIOLKAR)

MEMBER (A).


(S.K. DHAON)
VICE CHAIRMAN.

ham/-.