

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated: 8 JUL 1993

APPLICATION NO(s). 360 of 1993.

Applicant(s) Ramesh

v/s. Respondent(s) Secretary, Ministry
of Agriculture, New Delhi & Others.

1.

1. Sri. Ramesh,
Driver,
Regional Bio-Fertilizer Development,
Centre, No.34, Second Main Road,
Hebbal, Bangalore-560 024.
2. Sri. M.S. Anandaramu,
Advocate, No.27,
1st Main Road, 1 Floor,
Chendrasekhar Complex,
Gandhinagar, Bangalore-560 009.
3. The Secretary,
Ministry of Agriculture,
Department of Agriculture and
Cooperation, Krishi Bhavan,
New Delhi-110011.
4. The Regional Director,
Regional Bio-Fertilizer
Development Centre,
No.34, Second Main Road,
Near Baptist Hospital
Hebbal, Bangalore-560 024.
5. Sri. M.S. Padmarajaiah,
Central Govt. Stng. Counsel,
High Court Building,
Bangalore-560001.

SUBJECT:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore Bench
Bangalore.

Please find enclosed herewith a copy of the ORDER/
~~STAY/INTERIM ORDER~~ passed by this Tribunal in the above said
application(s) on 28-06-93.

Issued
[Signature]

[Signature]
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS DAY THE 28TH OF JUNE, 1993

Present: Hon'ble Justice Mr.P.K.Shyamsundar Vice-Chairman

Hon'ble Mr.V. Ramakrishnan

Member(A)

APPLICATION NO.360/93

Shri Ramesh,
Working as Driver,
Regional Bio-fertiliser Development,
Centre, No.34, II Main Road,
Hebbal, Bangalore - 560 024

Applicant

(Shri M.S. Anandaramu - Advocate)

v.

1. The Union of India
represented by the Secretary
to the Government,
Ministry of Agriculture,
Department of Agriculture
and Cooperation,
Krishi Bhavan,
New Delhi - 110 011
2. The Regional Director,
Regional Bio-fertiliser,
Development Centre,
No.34, II Main Road,
Hebbal, Near Baptist Hospital,
Bangalore - 560 024

Respondents

(Shri M.S. Padmarajaiah - Advocate)

This application has come up today
before this Tribunal for admission., Hon'ble
Justice Mr.P.K. Shyamsundar, Vice Chairman made
the following:

ORDER



ORDER

At the stage of admission we have heard the learned counsel for the applicant and the learned Standing Counsel as well who has also filed a counter statement in reply to the application in which the grievance of the applicant is that the applicant's services had been terminated without an enquiry although the grounds of termination were connected with the alleged misconduct committed by the applicant while in service. It is stated that the applicant had furnished a false certificate of date of birth on the basis of which he secured an unfair advantage. Due to this act of the applicant, the Government thought it fit to terminate his services but they did not hold an enquiry. The action of the respondents in terminating the applicant's services without holding an enquiry is clearly untenable. The order suffers from the aforesaid deficiency and in the circumstances, we are left with no option except to allow this application. In the light of the foregoing, this application succeeds and is allowed. If Government is desirous of proceeding further in the matter, they will have to hold a regular enquiry and thereafter pass an appropriate order giving the applicant an opportunity of being heard in the matter. Now that the block in the way of the applicant for resuming employment is removed with this order, he will have to be reinstated

but the period of absence whatever may be shall stand regulated in accordance with the fundamental rules. With these observations, this application stands disposed off finally as above with no order as to costs.

Sd-

Sd-

MEMBER (A)

VICE CHAIRMAN



TRUE COPY

[Signature]
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

8/10/93