

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated:- 27 JUN 1994

APPLICATION NUMBER: 959 of 1993

APPLICANTS:

Sri. Virender Singh & Director General, Archaeological Survey of India,  
To. New Delhi and Other.

RESPONDENTS:

① Sri. H. L. Sudhara Murthy, Advocate, no. 61, 2nd Cross,  
Gavipura Extension, Bangalore-560019

② The Director, (Epigraphy)  
Archaeological Survey of India,  
Old University Office Building,  
MYSORE-570005.

③ Sri. M. S. Padmarayiah,  
Senior. C. G. S. C.  
High Court Bldg,  
Bangalore.

Subject:- Forwarding of copies of the Orders passed by the  
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above  
mentioned application(s) on 16-06-94.

Received for the Sl. no 01  
for the

for HCS for the date 28/6/94

Se Shashikar 28/6  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE

APPLICATION NO. 959/1993

DATED THIS THE SIXTEENTH DAY OF JUNE, 1994

MR. V. Ramakrishnan, Member (A)

MR. A.N. Vujjanaradhy, Member (J)

Shri Virender Singh  
S/o. Shri Amarchand  
Photographer Grade II  
Office of the Director  
(Epigraphy), Archaeological  
Survey of India, Mysore-13. .... Applicant

(By Shri H.L. Sridharamurthy, Advocate)

Vs.

1. The Director General  
Archaeological Survey of India  
Janpath, New Delhi - 110 011.

2.. The Director (Epigraphy)  
Archaeological Survey of India  
Old University Office Building  
Mysore - 570 005. .... Respondents

(By Shri M.S. Padmarajaiah, S.C.G.S.C.)

O R D E R

(Mr. V. Ramakrishnan, Member(A))

The applicant Shri Virender Singh is before us but his counsel Shri Sridharamurthy is absent. The learned counsel for the applicant was absent on the earlier occasion also. We propose to dispose of this case after perusal of the papers and after getting assistance from the learned Senior Central Government Standing Counsel in view of the fact that the applicant's counsel was absent on the earlier occasions also.



2. The applicant's grievance is that even though he was given an order of appointment by the order dated 30th April, 1993 as at Annexure-A3, his services have been terminated without any reason subsequently by the order dated 10th November, 1993, as at Annexure-A4. We find from the initial appointment order dated 30th April, 1993 that the applicant was appointed subject to the approval of the Director General, Archaeological Survey of India. The main reason given by the respondents for termination of his service at this stage is that even though the Director General was approached by the Director, Epigraphy, Archaeological Survey of India, Mysore, though a number of letters, he has not given a final decision in this regard. In other words, the Director General has not disapproved the appointment of the applicant but the local unit is waiting for his final decision.

3. In view of this position, we hold that the order dated 10th November, 1994 at Annexure-A4 terminating the services of the applicant is premature. The initial order of appointment stated inter alia that the appointment was subject to the approval of the Director General, Archaeological Survey of India, New Delhi and the appointment was not for any specified period. When the Director General's final decision is still awaited, there was no reason as to why the department should have terminated the services of the applicant by order at Annexure-A4. We accordingly quash the order at Annexure-A4 and in the context of the present position, the applicant's services should be continued at this stage.

*U.P.*

Learned Standing Counsel submits that the department will take further action as soon as they get a firm decision from the Director General. They may do so as per law. No costs.



16/6/77  
(A.N. VUDJANARADHYA)

MEMBER (J)

sd - *[Signature]*

16/6/77  
(V. RAMAKRISHNAN)

MEMBER (A)

TRUE COPY

MR.

*R. Shankar* 28/6  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE