

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CAMP AT NAGPUR
O.A. 92/93

THURSDAY the 14th day of MARCH 1996

CORAM: HON'BLE SHRI B.S. HEGDE, MEMBER(J)

HON'BLE SHRI M.R. KOLHATKAR, MEMBER(A)

M.K.Dahat
C/o.Lade Baby,
Bupesh Nagar,
Borgaon,
Nagpur 440 013.
(None for the applicant) .. Applicant

-versus-

1. Union of India
through
Secretary,
Ministry of Defence,
South Block,
New Delhi.
2. The Director General,
Ordnance Factories,
10-A, Auckland Road,
Calcutta - 700 001.
3. The General Manager,
Ordnance Factory,
Ambajhari.

(By counsel Shri M.G.Bhangade) .. Respondents

O R D E R
(Per B.S.Hegde, Member(J))

None for the applicant. Heard Mr. M.G. Bhangade for the respondents. The only prayer made in this application is to declare the termination order passed by the respondent No.3 as illegal and reinstate the applicant with back wages.

2. The applicant was appointed as Labourer on 8-5-84. The appointment was made pending receipt of Police verification report. In the attestation form as required to be filled in case of an appointment the applicant declared that

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he was never arrested/prosecuted. However on enquiry by the respondents it was found that applicant had given a false declaration by suppressing the material information of his arrest before the date of appointment as well as the Criminal case No.181/82 which were pending against him. Since suppression of factual information itself is a disqualification for Govt. service and there was a warning to this effect in the attestation form the applicant's services were terminated.

3. There is no infirmity in the termination order. Accordingly O.A. is dismissed.

M.R.Kolhatkar
(M.R.KOLHATKAR)
Member(A)

B.S.Hegde
(B.S.HEGDE)
Member(J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

REVIEW PETITION NO.: 8/96 IN O.A. NO.: 92/93.

Dated, this 28/2, the August day of 1996.

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).
HON'BLE SHRI M. R. KOLHATKAR, MEMBER (A).

Shri M. K. Dahat ... Applicant
Versus
Union Of India & Others ... Respondents.

Tribunal's order by circulation :

The applicant has filed this Review Petition against the judgement dated 14.03.1996. He challenged the termination order in the O.A. stating that this termination was without giving any opportunity of hearing, etc. His service was terminated on account of suppression of material facts that at the time of appointment he declared that no criminal case is pending nor he was arrested/prosecuted. However, on enquiry by the respondents it was found that the applicant was arrested before the date of appointment in Criminal case No. 181/82 which was pending against him. That itself is a disqualification for Government service and does not warrant any further opportunity.

2. In the result, we do not find any merit in the R.P. and the same is dismissed.

M. R. Kolhatkar
(M. R. KOLHATKAR)
MEMBER (A).

B. S. Hegde
(B. S. HEGDE)
MEMBER (J).