

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 632/93

Transfar Application No: ---

DATE OF DECISION: 29-4-94

Abdul Samad Abdul Jabbar

Petitioner

Mr. M. S. Ramamurthy

Advocate for the Petitioners

Versus

Union of India & Ors.

Respondent

Mr. S. C. Bhavan

Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri B. S. Hegde, Member (J)

The Hon'ble Shri N. K. Verma, Member (A)

1. To be referred to the Reporter or not? *No*
2. Whether it needs to be circulated to other Benches of the Tribunal? *No*

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B. S. HEGDE
(B. S. HEGDE)
M (J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.632/93

Abdul Samad Abdul Jabbar .. Applicant

-versus-

Union of India & Ors. .. Respondents

Coram: Hon'ble Shri B.S.Hegde, Member(J)

Hon'ble Shri N.K.Verma, Member(A)

Appearances:

1. Mr.M.S.Ramamurthy
Counsel for the
Applicant.

2. Mr.S.C.Dhavan,
Counsel for the
Respondents.

ORAL JUDGMENT:
(Per B.S.Hegde, Member(J))

Date:29-4-94

Heard the argument of both the
counsel. Counsel for the applicant produced
a copy of the judgment dated 21-7-92 in O.A.
No.743/91(D.R.Narsaiya vs. U.O.I. & Ors.)
In this case also the ratio which has been
laid down in O.A. 743/91 would squarely
applies. Though the applicant was served with
a showcause notice dt. 16-12-86, no opportunity
of hearing was given to the applicant.

2. In the circumstances the application
succeeds and allowed. The order dt. 1-1-87
stands discharged and the same 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
for the respondents to take appropriate
proceedings in accordance with the law,
as against the applicant, if they so desire.

3. Learned counsel for the applicant states that the applicant has attained temporary status in this case also. In that event, the applicant shall be entitled to continuity of service.

4. With the above direction O.A. stands disposed of. MP seeking for condonation of delay also stands disposed of as delay is condoned.

N.K.V.
(N.K.VERMA)
Member(A)

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

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