

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 50/95

Transfar Application No:

DATE OF DECISION: 20.1.1995

M.R. Waghela

Petitioner

Mr. M.I. Pathan

Advocate for the Petitioners

VERSUS

U.O.I. & Ors.

Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M.S. Deshpande, Vice Chairman

The Hon'ble Shri P.P. Srivastava, Member(A)

1. To be referred to the Reporter or not ?
2. Whether it needs to be circulated to other Benches of the Tribunal ?

  
V.C.

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6  
PRESCOT ROAD, BOMBAY 1

O.A. NO. 50/95

M.R. Waghela

..Applicant

V/s

Union of India & Ors.

..Respondents

Coram: Hon. Shri Justice M.S. Deshpande, V.C.

Hon. Shri P.P. Srivastava, Member(A)

Appearance:

Mr. M I Pathan

Counsel for the applicant

ORAL JUDGMENT:

DATED: 20.1.1995

(Per: M.S. Deshpande, Vice Chairman)

Heard the counsel for the applicant. The applicant was appointed on purely ad-hoc basis on 15.7.1991 and his services came to be terminated by the notice dated 17.9.1993. The termination was evidently based on the terms of employment. The contention of the 1d. counsel is that the applicant had been appointed on probation and the order of termination simpliciter was merely a cloak for covering up the ground of misconduct. He refers to the order dated 28.9.93 which shows that the applicant had been warned for his previous misbehaviour and had not shown progress in respect of warnings and that may be a reason for not continuing him in service. But the temporary employment could be terminated in the manner in which it has been done in view of the

decision of the Supreme Court in STATE OF UTTAR PRADESH  
& ANOTHER Vs. KAUSHAL KISHORE SHUKLA, 1991 SCC(L&S)

587. The O.A. is therefore dismissed.

  
(P.P.Srivastava)

Member(A)

  
(M.S.Deshpande)

Vice Chairman