

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No. 254/95  
Transfer Application No.

Date of Decision : 10/04/1995

V.L. Gondke

Petitioner

Shri. M.A. Mahalle

Advocate for the  
Petitioners

Versus

Union of India & Ors.

Respondents

Shri. R.K. Shetty

Advocate for the  
respondents

C O R A M :

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 ? *na*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *na*

  
(M.S. Deshpande)  
Vice Chairman

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

O.A. 254/95

V. L. Gondke .. Applicant

Vs.

Union of India & Ors. .. Respondents

CORAM : 1.Hon'ble Shri Justice M.S.Deshpande, V.C  
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2.Hon'ble Shri P.P. Srivastava, Member (A)

Appearances :

1. Shri. M.A.Mahalle  
Advocate  
for the applicant
2. Shri. R.K. Shetty  
Advocate  
for respondents.

ORAL JUDGMENT

DATED : 10/04/1995

(Per Shri Justice M.S.Deshpande, Vice Chairman)

The applicant was appointed by the order dated 17/02/1993 as 'Choukidar' on purely temporary basis and claimed to be terminated by the order dated 24/28.2.95 under Rule 5(1) of the CCS (Temporary Service) Rules 1965. The respondent's contention is that there was no vacancy while according to the applicant, there were vacancies because six persons were promoted as LDCs, who came to be reverted but the reversion has been stayed under the orders of the Tribunal. Shri.R.K. Shetty for the respondents stated that there was no stay but only status-quo granted. The applicant has already made a representation to the respondents on 1.3.95 and that admittedly has not been considered by the respondents. We, therefore direct the respondents to consider the representation within two months from the date of communication of this order, by passing a reasoned order.

2. Order dated 24/28.2.1995 purports to bring about termination forthwith with direction that the applicant

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is entitled to a sum equivalent to the amount of his pay plus allowances for the period of notice. The notice was therefore to operate immediately and also provided for payment of wages to the applicant. In view of this, we vacate the Interim Order. The O.A is disposed of with the aforesaid directions.



(P.P. SRIVASTAVA)  
MEMBER (A)



(M.S. DESHPANDE)  
VICE CHAIRMAN

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