



(B)

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

O.A.NO. 539/95

V.P.Pathak

..Applicant

V/s

Union of India & Ors.

..Respondents


Coram: Hon. Shri Justice M.S.Deshpande, V.C.  
Hon.Shri P.P.Srivastava, Member(A)

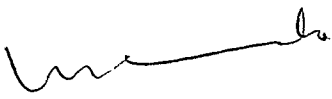
ORAL JUDGMENT:

DATED: 2.6.95

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

Heard Mr. Babu Marlapalle counsel for the applicant. It is apparent that under the letter dated 21.1.85, which is referred to in the communication dated 10.3.95 (Exhibit A.11) it was necessary for the applicant to pass Departmental SK Gde I examination within the period of probation. Admittedly he has not passed that examination and therefore he came to be reverted after issuing a show cause notice to the post of Meter Reader by the impugned order dated 8.5.95. The applicant's counsels contention is that the terms and conditions of the order of appointment did not mention that passing of examination was necessary and that he was not aware of it. The instructions were issued prior to the appointment of the applicant and require<sup>d</sup> the applicant to pass examination during the probationary period. Sine due formalities have been performed, we see no merit in the application and it is dismissed.

  
(P.P.Srivastava)  
Member(A)

  
(M.S.Deshpande)  
Vice Chairman