

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH  
JAIPUR.

T.A.No.1570/86

Dt. of order: 19.8.1993

Nathu Lal

: Applicant

Vs.

Union of India & Ors. : Respondents.

Mr.Surendra Singh : Brief Holder of Mr.M.S.Gupta  
counsel for the applicant.

Mr.Manish Bhandari : Counsel for the respondents.

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Hon'ble Mr.B.B.Mahajan, Member(Adm.).

Hon'ble Mr.Gopal Krishna, Member(Judl.).

PER HON' BLE MR.B.B.MAHAJAN, MEMBER(ADM.).

Applicant Nathu Lal had filed a civil suit in the Court of Additional Munsif Jaipur West, Jaipur for permanent injunction against his reversion from the post of Shunting Jemadar, without following the procedure in the Discipline & Appeal Rules. A temporary injunction restraining the respondents from reverting the applicant from the post of Shunting Jemadar in the grade of Rs.225-350 without departmental enquiry and opportunity of hearing was issued by the learned Additional Munsif on 31.1.85. Subsequently the suit was transferred to the Tribunal under Sec.29 of the A.Ts Act, 85 and registered as T.A.

2. We have heard the learned counsel for the parties. The applicant was promoted as Shunting Jemadar on 8.1.82. He has continued to serve on that post till now in view of the interim injunction issued by the Court. The learned counsel for the applicant has produced before us a copy of order dated 1.2.1990 from DRM, Jaipur in which the applicant's name appears among the list of officials included in the panel of Shunting Jemadar. Since the applicant

has already worked on the post for over 11 years and has also <sup>been</sup> empanelled on the post there ~~is~~ obviously no justification for reverting him at this stage.

3. We accordingly allow this T.A. and direct the respondents not to revert the applicant from the post of Shunter Jemadar Grade Rs.225-350 as revised from time to time, except by way of punishment under Disciplinary & Appeal Rules. Parties to bear their own costs.

*G.K.*  
(Gopal Krishna)  
Member(J).

*B.B. Mahajan*  
(B.B. Mahajan)  
Member(A).