

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH.

J A I P U R.

T.A. No. 73/92 Date of decision: 29.7.93
T.A. No. 71/92 & TA No. 2211/86
GORDHAN SINGH : Applicant

VERSUS

UNION OF INDIA & ORS : Respondents.

None present on behalf of the applicant.

Mr. G.P. Soral : Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

Hon'ble Mr. P.P. Srivastava, Administrative Member

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

The applicant filed the suit in the court of learned Munsif, Kota which was registered as Suit no. 352/84 and prayed therein that the respondents be restrained from terminating the services of the applicant vide order dated 6.8.84. The order dated 6.8.84 is a notice for the termination and the applicant has been asked to show cause why his services should not be terminated. Being aggrieved with this show cause notice, the applicant filed this suit. In this suit, the applicant filed an application under Order 39 Rule 1 & 2 and prayed for the grant of temporary injunction. The temporary injunction was rejected vide order dated 29.9.84. This T.A. No. 73/92 is part of the T.A. No. 2211/86.

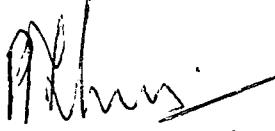
2. The applicant being aggrieved filed an appeal against the refusal of the temporary injunction before the learned District Judge, Kota and the same has been transferred to this Tribunal.

3. We have gone through the record and the main suit has been dismissed on the ground that the suit is pre-mature. The applicant should show cause against the notice issued by the respondents and the respondents will decide the matter in accordance with the law. Thus, all the three TAs are connected with each other - one relating to the main suit and

the other related to the refusal of the grant of temporary injunction and the third for the grant of temporary injunction.

4. We do not find any infirmity in the order issued by the court and the suit is not maintainable. The applicant has been directed to show cause against the notice as no final order has been passed so far.

5. All the three T.As are disposed of accordingly, with no order as to costs.


(P.P. SRIVASTAVA)
Administrative Member


(D.L. MEHTA)
Vice-Chairman