

J A I P U R.

O.A. No. 892/89

Date of decision: 22.8.94

MANGI LAL & ORS

: Applicants.

VERSUS

UNION OF INDIA & ORS

: Respondents.

Mr. S. Kumar

: Counsel for the applicants.

Mr. Manish Bhandari

: Counsel for the respondents.

CORAM:

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

HON'BLE MR. O.P. SHARMA, ADMINISTRATIVE MEMBER

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

Heard the learned counsel for the parties.

2. Initially, the order dated 11.10.89 (Annexure A-1) was issued. However, that order was quashed and that order does not survive. On 4.11.89, verbal instructions were given not to take the work from the applicants which they were performing. This court, on 9.11.89, passed the order that the applicants shall be allowed to resume duty and discharge the same functions which they were doing before being retrenched on 4.11.89.

3. The respondents have not filed the reply. In the light of the submissions made by the learned counsel for the applicants, facts which are on record will have to be accepted.


4. In the result, the respondents are directed that the applicants shall be allowed to continue on duty and discharge the same functions which they are now performing and the verbal order of retrenchment dated 4.11.89 is set aside. The respondents will be at liberty to pass any fresh order according to law. There shall be no order as to costs.

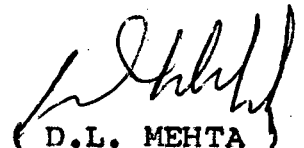
5. After the dictation of this order, Mr. Manish Bhandari appeared and submitted that there is no question of retrenchment and the applicants have already been promoted on higher posts and the orders have been passed.

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6. In the light of the submissions made by Mr. Manish Bhandari, we will not like to pass any fresh order.

7. The O.A. is disposed of accordingly, with no order as to costs.


(O.P. SHARMA)
Administrative Member


(D.L. MEHTA)
Vice-Chairman