

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENGH, JAIPUR.

Date of Decision: 12.1.1994.

QA 370/93

FAROOK ALI

... APPLICANT.

v/s.

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON'BLE MR. B.N. DHUNDIYAL, MEMBER (A).

For the Applicant ... SHRI J.K. KAUSHIK.

For the Respondents ... SHRI MANISH BHANDARI.

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

Heard the learned counsel for the parties. The applicant has now been taken on duty. Earlier the departmental proceedings were initiated against him and the enquiry report was served upon the applicant on 18.5.93 and he submitted the representation on 23.5.93. The respondents were not taken the applicant on duty, so he made an application on the same day and the officer concerned passed the order that the decision to take the applicant on duty can only be taken by the competent authority. Thus, by implication he was disallowed to continue on the job or to perform his duties.

2. In spite of the repeated time granted and specific orders given on the last date, that Mr. Manish Bhandari undertakes to file reply within six weeks, If the reply is not filed on or before the date fixed, the right to file the same shall stand forfeited, even then the reply has not been filed.

3. In the facts and circumstances, the QA is allowed and the applicant should be considered on duty for the intervening period and he should be paid salary and other benefits according to the rules. The QA stands disposed of accordingly.

B.N. DHUNDIYAL

(B.N. DHUNDIYAL)
MEMBER (A)

(D.L. MEHTA)
VICE CHAIRMAN