

(M)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 03.4.98

OA 35/98

Bansidhar Gujar s/o Shri Pokhar Lal r/o Dhani Nayabass, Panchat Achrol, Distt. Jaipur.

... Applicant

Versus

1. Union of India through Secretary, Ministry of Mines, New Delhi.
2. The Director General, Geological Survey of India, 27-J.L.Road, Calcutta.
3. The Dy. Director General, Geological Survey of India, Jhalana Doongri Office Complex, Jaipur.

... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr. Kunal Rawat

For the Respondents

... —

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Bansidhar Gujar, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to reinstate him on the post of Beldar and grant semi-permanent status to him.

2. Heard the learned counsel for the applicant. Records of the case have been carefully perused.

3. Applicant's case is that he was appointed as Beldar on daily wage basis at the camp of Achrol under the control and supervision of the Deputy Director General, Geological Survey of India, Jhalana Doongri Office Complex, Jaipur, in the year 1989. He worked at the Achrol Camp till June, 1990. Thereafter, the applicant was transferred to Phetri Camp. He was then transferred to Ambaji Camp, District Mehsana (Gujarat). The applicant was again transferred to Phetri Camp in the month of November, 1990 on the post of Beldar on daily wage basis. The applicant was sent to several places e.g. Gigwana, District Ajmer, Nathdwara, District Udaipur, Udaipur and Jaipur Head Offices. The services of the applicant were orally terminated on 9.5.95. The applicant made a representation to respondent No.3, whereupon the applicant was engaged in service on 24.12.96. However, he has been disengaged from service on 30.6.97. The applicant has assailed the impugned action of the respondents as being unjust and arbitrary. It is also stated by the applicant that persons engaged after him are still working in the respondent department. The learned counsel

Cpi/ln

④

for the applicant has drawn my attention to the representation made by the applicant, at Annexure A-6, dated 29.8.97, which is pending consideration and he wants that the aforesaid representation be decided by respondent No.3 keeping in view the communications at Annexures A-1, A-2, A-3 and A-4.

4. In the circumstances, the present application is disposed of, at the stage of admission, with a direction to respondent No.3 to decide the applicant's representation, at Annexure A-6, dated 29.8.97, keeping in view the communications at Annexures A-1, A-2, A-3 and A-4 and the guidelines on the subject, with due sympathy, within a period of two months from the date of receipt of a copy of this order. If the applicant is aggrieved by any decision taken on the representation, he shall be at liberty to file a fresh OA. Let a copy of the OA and the annexures thereto be sent to respondent No.3 alongwith a copy of this order.

G. Krishna
(Gopal Krishna)
Vice Chairman

VK