

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

CIRCUIT COURT SITTING AT INDORE

Original Application No. 960 of 2005

Indore, this the 19th day of October, 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Anil Mishra, S/o. Shri Somnath Mishra,
aged 25 years, r/o. near Gita Bhawan Road,
and Sairaj Road, Kothari Nagar, Mandsaur. ... Applicant

(By Advocate - Shri D.M. Kulkarni)

V e r s u s

1. Union of India, through Secretary,
Department of Revenue, Ministry of
Finance, North Block, New Delhi.
2. Commissioner of Income Tax,
Indore, A.B. Road, Indore.
3. Income Tax Officer, Mandsaur.
4. Shri Bherulal Hada, S/o. Shobharam
Hada, S/o. Shobharam Hada, Daily
Wager, C/o. Income Tax Officer,
Mandsaur. ... Respondent.

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

Heard the learned counsel for the applicant.

2. By filing this Original Application the applicant
has claimed the following main reliefs :

"8.1 respondent No. 3 be directed to terminate the
employment of respondent No. 4,

8.2 the respondent No. 3 be directed to reinstate,
appoint the applicant as daily wager and treat him
as continued from the date he had been abruptly
terminated,


8.3 relevant record of the appointment of private
respondent No. 4 be kindly requisitioned."


3. The brief facts of the case are that the applicant
was engaged as a Daily Wager in the office of the
respondents in August, 2003. Thereafter his services have
been dispensed with by the respondents without giving him
any notices. The learned counsel for the applicant

submitted that the applicant has not been given any opportunity of hearing before his services were dispensed with and instead the respondents have engaged another person i.e. respondent No. 4 in his place on daily wages. According to him he has been engaged because his father is working in the Income Tax Department. Hence, this Original Application is filed.

4. In the facts and circumstances of the case, we deem it appropriate to dispose of this Original Application by directing the applicant to submit a representation to the respondents within a period of 4 weeks, from the date of receipt of a copy of this order. We do so accordingly. If the applicant complies with this, then the respondents are directed to consider and decide the said representation of the applicant within a period of two months from the date of receipt of the representation of the applicant, by passing a speaking, detailed and reasoned order. The learned counsel for the applicant is directed to submit a copy of this order as well as the copy of the petition to the respondents immediately.

5. Accordingly, the Original Application stands disposed of at the admission stage itself.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman

"SA"

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