

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No. 42/1999

Jabalpur, this the 19th day of January, 2004

Hon'ble Shri M.P. Singh, Vice-Chairman,
Hon'ble Shri G. Shanthappa, Judicial Member

Bharatlal Prajapati
s/o Sh. Shankarlal,
Ex-Chowkidar,
Maraseoni Hospital of Bidi Kamgar
Kalyan Kosh Aushadhalaya,
Varasaoni, Distt. Balaghat (MP).Applicant
(By Advocate: Shri S. Paul)

- versus -

1. Union of India through
Secretary,
Ministry of Labour,
New Delhi.
 2. Welfare Commissioner,
Labour Department,
Office of Kalyan Avam Upakar Aayukt,
44, Narbada Road,
Jabalpur.
 3. Welfare Administrator (Prashasak),
Labour Ministry,
Office of Welfare Administrator (Prashasak),
Labour Welfare Organisation,
A/25, Sector-I, Shanker Nagar,
Raipur (M.P.)
 4. Director General,
Govt. of India,
Labour Ministry,
Jaisalmer House, Mansingh Road,
New Delhi.Respondents
- (By Advocate: Sh. B.Dasilva)

ORDER (ORAL)

By Shri M.P.Singh, Vice-Chairman -

The applicant has filed this O.A. seeking directions
to the respondents to set aside the removal order dated
15/16-2-1996 and to re-instate him with full back wages

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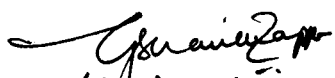
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and other consequential benefits.

The brief facts of the case are that the applicant was working as Chowkidar. While he was working as such, a criminal case No. 1610/90 was instituted against him before the trial court. The trial court convicted him for two years' imprisonment and imposed fine of Rs. 1000/- vide its order dated 16.11.1995. In the meantime, enquiry was also instituted against the applicant for the same charges. The Enquiry Officer concluded the enquiry on 13.12.1995 holding the charges proved on the basis of conviction of the applicant by the trial court.

The applicant had approached this Tribunal by filing O.A. No. 163/96. The Tribunal vide its order dated 25.3.1996 had directed the respondents to decide the appeal of the applicant. The respondents did not take any decision on the appeal filed by the applicant. In the meantime, the applicant was acquitted by the Sessions Court in criminal case No.83/95. The applicant, therefore, filed a review petition on 26.10.1998 (Annexure A-8). The respondents have also not taken any decision on that. Thereafter, the applicant has approached this Tribunal by filing the present O.A. In the circumstances we deem it appropriate that this O.A. can be disposed of by directing the respondents to consider the review application filed by the applicant on 26.10.1998 and to decide the same by passing a speaking, detailed and reasoned order within a period of two months from the date of receipt of a certified copy of this order.

With the above directions, the O.A. is disposed of with no order as to the costs.


(G. Shanthappa)
Judicial Member


(M.P. Singh)
Vice-Chairman

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