

20

**CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH,
CHANDIGARH.**

O.A.No.060/00073/2014

Date of Decision : 20.03.2015

**CORAM: HON'BLE MRS. RAJWANT SANDHU, ADMINISTRATIVE MEMBER
HON'BLE DR. BRAHM A. AGRAWAL, JUDICIAL MEMBER**

1. Rahul S/o Shri Harkishan, R/o Village & P.O. Dhareru, Tehsil and District Bhiwani (Haryana), presently resident of House No.418, Shivpuri Colony, Near Bhairon Mandir, Ambala Cantt.
2. Santosh Kumar S/o Shri Mahaveer Parsad, Village Dhani Ponkh / Jharala, District Jhunjhunu, Rajasthan.
3. Chandan Kumar Singh S/o Ashok Singh, Village & P.O. Gahmar (Patti Hajuri Rai), District Ghazipur (U.P.) and presently resident of House NO.5248, Anaj Mandi, Ambala Cantt.

(All presently working as Mazdoor (Civilians) in 27, Company ASC (Supply), Pin-900241 C/o 56 APO.

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Applicants

Versus

1. The Union of India through its Secretary, Ministry of Defence, New Delhi.
2. The Directorate General of Supplies & Tpt (ST-12)/Civ QMG's Branch, IHQ of MOD (Army) DHQ PO, New Delhi-110105.
3. The Major General, Headquarter Western Command (Supplies and Transport) Chandimandir C/o 56 APO.
4. The Brigadier, Headquarter 2 Corps (Supplies and Transport) C/o 56 APO.
5. The Commandant, 27, Company ASC (Supply), Pin-900241 C/o 56 APO.
6. Col. Nakul Yadav, presently working as Commandant, 27, Company ASC (Supply), Pin-900241 C/o 56 APO.
7. Principal Controller of Defence Accounts (PCDA), Western Command, C/o 56 APO. 1/1

21
Respondents

Present: Mr. Shailender Sharma, proxy for Mr. Ramesh Sharma, counsel for the applicants
Mr. K.P.S.Dhillon, counsel for the respondents

O R D E R

HON'BLE MRS. RAJWANT SANDHU, MEMBER (A)

1. This Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985, seeking the following relief:-

“8 (i) Issue directions to the respondents and especially respondent no.5/6 in particular to not to create any hindrance in the working of the applicants and allow them the marking of their presence in the duty register and to release the salary of the applicants and not to threat the applicants with the oral orders of termination of service and involving the applicants in any false / frivolous case.

(ii) Issue interim directions to the respondents to allow the applicants to do their duties and to mark their presence in the duty register without any hindrance during the pendency of the present application.”

2. When the matter was heard regarding admission on 27.01.2014, the respondents were directed to allow the applicants to mark their presence and perform their duty till the next date of hearing. The applicants subsequently joined duty and this position continues till date.

3. When the matter came up for hearing today, Sh. K.P.S.Dhillon, learned counsel for the respondents conceded that the applicants' services had been sought to be terminated without issue of one month's notice as was required as per their appointment orders. Learned counsel stated that henceforth if action was to be taken in this regard

18

proper notice would be issued to the applicants and the present OA could be disposed of accordingly.

4. Learned counsel for the applicants stated that he would not press the OA keeping in view the submission made by the learned counsel for the respondents. He requested that protection be afforded to the applicants to approach the Tribunal, if termination notices were indeed issued to them.

5. Keeping in view the ad idem between the parties, this OA is disposed of with direction to the respondents to proceed as per the rules but any order adverse to the applicants may not be implemented for one month after the date of the issue of such order so that the applicants can approach the appropriate forum for relief, if so advised.

(RAJWANT SANDHU)
ADMINISTRATIVE MEMBER.

(DR. BRAHM A. AGRAWAL)
JUDICIAL MEMBER

Place: Chandigarh
Dated: 20.03.2015

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