

CENTRAL ADMINISTRATIVE TRIBUNAL.
GUWAHATI BENCH: GUWAHATI.5

ORIGINAL APPLICATION NO. 104/94 MISC. APPL. NO. (IN OA.)
REVIEW APPLICATION NO. (IN O.A. NO.) CONT. APPL. (O.A.)

Shri D. Kumar

VERSUS

APPLICANT(S)

NO. 5

RESPONDENT(S)

Mr. B.K. Sharma

Mr. P.K. Tiwari APPLICANT(S) ADVOCATE

Mr. M.K. Choudhury

Mr. B. Mehta

C. G. S.

RESPONDENT(S) ADVOCATE

OFFICE NOTE

DATE

COURT'S ORDER

30.5.94 Learned counsel for the applicant is present. Learned Sr. C.G.S.C. Mr S. Ali is absent on personal grounds.

List tomorrow, the 31.5.94 for consideration of admission.

This application is in form and within time C. F. of Rs. 50/- deposited vide IPO/BD No. 862066
Dated 2.4.94

Signature
Vice-Chairman

Signature
Member

31.5.94 Learned counsel Mr B.K. Sharma for the applicant, Shri D. Kumar submits to implead, Principal, CTTC, Guwahati, as respondent No.5 in this application. Prayer allowed. Let Mr B.K. Sharma amend the application.

The application is ~~admitted~~ amended.

Heard learned counsel Mr B.K. Sharma for the applicant. Perused the statement of grievances and reliefs sought for in this application. Learned Sr. C.G.S.C. Mr S. Ali receives copy of this application and makes his submission. The application is taken up for admission and disposal.

The applicant assails the order No. E-213/PM/Exam/94-95/101 dated 19.5.1994 (Annexure-5) issued by the Telecom District

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O.A.No.104/94

OFFICE NOTE	DATE	COURT'S ORDER
	31.5.94	

Engineer, Tezpur.

The applicant was casual Mazdoor since 1974 in the department of Telecommunication and in 1989 he was made a regular Mazdoor in the said department against substantive post. Thereafter, he was selected to the Phone Mechanic Grade, and sent for training at CTTC, Guwahati. Presently, he is undergoing training which will be completed on 10.6.1994. In the meantime, the Telecom District Engineer, Tezpur issued the impugned order under Annexure-5 requesting the Principal, CTTC, Guwahati to release the applicant from the Training centre immediately with instructions to report for duty in his parent cadre. We have perused the contents in the impugned letter No.E-213/PM/Exam/94-95/101 dated 19.5.1994 (Annexure-5). We find no justification as to why he should be debarred from completing the training course, which will be over by 10.6.1994. The authority will have enough time to look into the complaint and do the needful in accordance with the Rules. Under the facts and circumstances we consider it just and expedient to quash the impugned order dated 19.5.1994 (Annexure-5).

This application is allowed. The impugned order contained in letter No.E-213/PM/Exam/94-95/101 dated 19.5.1994 (Annexure-5) is quashed and consequently, all the respondents including the Principal, CTTC, Guwahati, shall allow the applicant to complete the training course at CTTC, Guwahati.

This application is disposed of with the above order.

Inform all concerned.

Office to inform all concerned.

Copy of the order may be furnished to the counsel for the parties.

By Order:

31/5/94

23/5/94

Member

31/5/94

Shagun

Vice-Chairman