

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

**O. A. No.60/176/2018**

...  
**Date of decision: 01.05.2018**

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).  
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

...

Mohinder Pal aged 48 years son of Sh. Kabul Ram, R/o House No.2303,  
EWS Sector 37-C, Chandigarh. Group D.

**... APPLICANT**

**VERSUS**

1. Chandigarh Administration through Engineering Department, Sector-9, Electrical Division No.1, Chandigarh.
2. The Executive Engineer, Sector-9, Electrical Division No.1, Chandigarh.
3. The Superintending Engineer, Electrical Circle, U.T. Chandigarh, Sector-9, Chandigarh.
4. The S.D.E. Secor-9, Electrical Division No.1, Chandigarh.

**... RESPONDENTS**

**PRESENT:** Sh. G.C. Sawhney, counsel for the applicant.  
Sh. A. L. Nanda, counsel for the respondents.

**ORDER (Oral)**

**SANJEEV KAUSHIK, MEMBER (J):-**

1. Present O.A. has been filed seeking quashing of order dated 25.04.2013 (Annexure A-1), whereby services of the applicant has been terminated on account of registration of a criminal case.
2. Learned counsel for the applicant submitted that in the criminal case, the applicant has been acquitted vide judgment dated 30.03.2016 on the basis of which, the applicant submitted representation to his employer to reinstate him in service by withdrawing the impugned order, which has also been forwarded favourably to the higher authorities (Annexure A-4). But, despite

there being favourable recommendation in his favour, the respondents are not allowing the applicant to join service. Hence this O.A.

3. Upon notice, Sh. A.L. Nanda puts in appearance on behalf of the respondents and fairly submitted that this petition can be disposed of with a direction to the respondents to take a view on his pending representation.
4. Considering the fact that applicant has already been acquitted in criminal case registered against him in FIR No.6 dated 05.07.2012 which became basis of termination of his service, we deem it appropriate at the first instance likewise requested by learned counsel for the respondents, to dispose of this O.A. with a direction to competent authority amongst the respondents to decide the pending representation dated 17.04.2016 (Annexure A-3), by passing a reasoned and speaking order in accordance with law. Let the same be decided within a period of one month from the date of receipt of a certified copy of this order. Order so passed be duly communicated to the applicant.
5. Disposal of the OA in the above terms shall not be construed as an opinion on the merit of this case.

**(P. GOPINATH)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

Date: 01.05.2018  
Place: Chandigarh.

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