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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO.463/2003

Friday, this the 28th day of February, 2003

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Rakesh Kumar S/o Sh. Durjan Lal,
R/o N/26, Magazine Road,
Majnu Tilla, Civil Line,
New Delhi

.... Applicant

(By Advocate : Shri Raj Singh)

Versus

1. G.N.C.T. of Delhi
Through it's Chief Secretary,
Players Building,
I.P. Estate, New Delhi
2. The Director of Education,
Directorate of Education,
G.N.C.T., Old Secretariate,
Delhi
3. The Dy. Director of Education,
Distt. North, Lucknow Road,
Delhi
4. Headmaster,
Govt. Sarvodaya Boys Middle School,
(Evening Shift)
Inder Lok, Delhi

.... Respondents

O R D E R (Oral)

BY HON'BLE DR. A. VEDAVALLI, MEMBER (J):

Heard.

2. The applicant, Rakesh Kumar, who was working as a part time sweeper under the respondents, is aggrieved by the termination of his services by order dated 12.11.2002 (Annexure A-1). He has impugned the aforesaid order and also another order dated 7.11.2002 (Annexure A-2).

3. The applicant claims following reliefs in this OA:-

- (a) That impugned order No.SBMS/IL/2002-03 dated 12.11.2002 (Annexure A-1) and No. GSJV/IL/Part Time/2002-03 dated 7.11.2002 (Annexure A-2) be quashed and set aside.



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(2)

- (b) That the applicant be declared in continuous service since 12.11.2002 and respondents be directed to pay the wages for this period.
- (c) That the respondents be directed to give effect to cl.4 of letter dated 2.1.2003 (Annexure A-)
- (d) That the respondents be directed to grant to the applicant temporary status w.e.f. 1.7.99, the date of his appointment.
- (e) Any other relief, which this Hon'ble Tribunal deems fit and proper under the circumstance, be also granted to the applicant with cost.

4. When the matter came up for admission today, the learned counsel for the applicant Shri Raj Singh submits that aggrieved by the termination of his services by the impinged order, the applicant has submitted a representation to the respondents which was received by them on 27.11.2002 and that there is no reply or response to the said representation as on date. He also submits that the OA may be disposed of at the admission stage with a direction to the respondents to dispose of the aforesaid representation within a particular time frame to be fixed by the Court and with liberty to approach the Tribunal if any grievance survives further thereafter.

5. On hearing the learned counsel for the applicant and on consideration of the matter and in the interests of justice, the OA is being disposed of at the admission stage itself with the following directions:-

- (1) The respondents are directed to examine the aforesaid representation submitted by the applicant, treating the grounds taken by him in the present OA also as additional grounds on its merits in the light of the

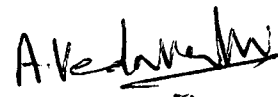
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relevant rules, instructions and judicial pronouncements on the subject and dispose of the same with a detailed and a reasoned order in accordance with law under intimation to the applicant within six weeks from the date of receipt of a copy of this order.

(ii) If any grievance further survives thereafter, the applicant is granted liberty to approach the Tribunal again through appropriate fresh original proceedings, if so advised, in accordance with law.

6. The OA is disposed of as above.

7. Registry is directed to send a copy of this order along with a copy of the OA to the respondents.



(DR. A. VEDAVALLI)
Member (J)

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