

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.9840 of 2016

Date of Decision: May 31, 2016

Narender Kumar

....Petitioner

versus

Union of India and others

.....Respondents

**CORAM:HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.**

Present: Mr.Rohiteshwar Singh, Advocate, for the petitioner.
Mr.Pankaj Gupta, Advocate, for Union of India.

-.-

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The controversy in the instant case pertains to selection and appointment of Civilian Motor Drivers by the respondent-authorities. After their appointment, the services of some of the drivers were dispensed with on the ground that they did not possess the requisite experience of driving heavy vehicles as on the cut-off date before their selection. The Tribunal set-aside some of such termination orders and reinstated the applicants though without payment of back wages. Those orders were upheld by this Court in a bunch of writ petitions including CWP No.2088 of 2015 (Union of India and others versus Central Administrative Tribunal, Chandigarh Bench and others) decided on 23.03.2015, after obtaining a report from the authorities with regard to satisfactory

work and conduct of the drivers.

The petitioner in this case also approached the Tribunal questioning the termination of his services but his O.A. has been dismissed.

In view of the fact that the orders passed by the Tribunal reinstating some of the drivers have been upheld and the authorities did not further challenge those orders which have attained finality, we are satisfied that the question of eligibility of the petitioner in this case, with reference to the requisite experience of driving heavy vehicles, requires re-consideration by the Tribunal. Consequently, the writ petition is allowed; the impugned order passed by the Tribunal is set-aside and the matter is remitted to the Tribunal for afresh adjudication.

The parties are directed to appear before the Tribunal on 04.07.2016.

[SURYA KANT]
JUDGE

May 31, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE