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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.2011/2001

Hon'ble Shri Shanker Raju, Member (J)

New Delhi, this the 16th day of August, 2001

Shri Santosh Kumar Meena
r/o D-28, Harsh Vihar
Near Bank Colony.
Delhi. Applicant

(By Advocate: Shri D.R.Gupta)

vs.

1. Government of NCT of Delhi
through its Chief Secretary
Players Building
I.P.Estate
New Delhi - 110 002.
2. Director of Education
Govt. of NCT of Delhi
Old Secretariat
Delhi.
3. Deputy Director of Education (North)
Lucknow Road
Delhi.
4. The Principal
Shaheed Avadh Bihari Sarvodaya Vidyalaya
(Govt. Model School No.1)
Ludlow Castle
Rajniwas Marg
Delhi - 110 054. Respondents

O R D E R (Oral)

By Shanker Raju, Member (J):

Heard the learned counsel for the applicant.

2. The grievance of the applicant is that in pursuance of her involvement in a criminal case of which an information was furnished to the respondents. The respondents resorted to Rule 5 of the CCS (Temporary Service) Rules, terminated her services. According to the applicant the action of the respondents is not legally sustainable as the foundation of the order in her alleged misconduct of involvement of the criminal case before terminating the

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services she has not been afforded a reasonable opportunity to defend the same under Article 311 of the Constitution of India. The applicant has also placed reliance on a decision of the Apex Court in Nar Singh Pal Vs. UOI & Others, (2000) 3 SCC 588. The applicant has represented to the respondents on 28.7.2001 against the termination order. The representation is yet to be disposed of by the respondents. As the applicant has come to this Tribunal before six months from the date of filing of the representation, the present OA is premature as per the provisions of Section 20 of the Administrative Tribunals Act, 1985. However in the interest of justice, the OA is disposed of with a direction to the respondents to consider the representation of the applicant made on 28.7.2001 and to pass a detailed, reasoned and speaking order within two months from the date of receipt of a copy of this order. The applicant is at liberty to approach this Court in case he is aggrieved by the order to be passed by the respondents, in accordance with law. The OA is accordingly disposed of. No costs.

A certified copy of this order along with a copy of the OA be sent to the respondents.

S. Raju
(SHANKER RAJU)
MEMBER(J)

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