

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-713/98

New Delhi this the 22nd day of April, 1998.

Hon'ble Sh. T.N. Bhat, Member(J)
Hon'ble Sh. S.P. Biswas, Member(A)

Mr. Jeetu Seshrao,
S/o Sh. Sheshrao Vede,
R/o Dr. Ambedkar Nagar,
At/Post&Tehsil-Ambajogai,
Distt. Beed, Maharashtra. Applicant

(through Sh. M.P. Raju, advocate)

versus

1. Union of India,
through its Secretary,
Ministry of Home Affairs,
North Block, New Delhi.
2. The Commissioner of Police,
Police Headquarters,
I.P. Estate,
New Delhi-2.
3. Addl. Dy. Commissioner of Police,
West District,
New Delhi. Respondents

(Not present)

ORDER(ORAL)

Hon'ble Sh. T.N. Bhat, Member(J)

1. Dasti service has been effected upon the respondents and in proof thereof the learned counsel for the applicant has furnished an affidavit. The respondents are accordingly set ex-parte, as nobody appears on their behalf.

2. We have heard the learned counsel for the applicant on the merits of the O.A.

3. This O.A. is directed against the order dated 28.02.97 passed by respondent No.3, namely, Addl. Dy. Commissioner of Police, West District, New Delhi

[Signature]

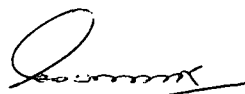
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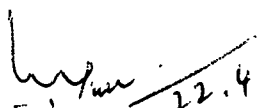
by which the services of the applicant, who was working as a Constable in Delhi Police, have been terminated in purported exercise of powers under sub-rule (1) of Rule 5 of the CCS (Temporary Service) Rules. It is contended by the applicant that although the order of termination of the applicant's services is apparently an order of termination simplicitor, it is actually based on some alleged misconduct on the part of the applicant and that being so it was incumbent upon the respondents to hold some sort of enquiry and to follow the principles of natural justice.

4. We have, however, noticed that the applicant has made a detailed representation against the termination of his services, a copy of which is annexed as Annexure-II to the O.A. It would be in the fitness of things to give an opportunity to respondents to decide the said representation by a reasoned and speaking order.

5. We accordingly dispose of the O.A. with a direction to respondents to dispose of the representation of the applicant by a reasoned and speaking order within a period of one month from the date of receipt of a fresh copy of the representation which shall be furnished by the applicant to the competent authority, namely, the Commissioner of Police, Police Headquarters, I.P. Estate, New Delhi, within a week from today.

No costs.


(S.P. Biswas)
Member(A)


22.4.1998
(T.N. Bhat)
Member(J)