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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.No.1214 of 1996

Dated New Delhi, this 17<sup>th</sup> day of July, 1996.

HON'BLE SHRI A. V. HARIDASAN, VICE CHAIRMAN (J)  
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Rakesh Kumar  
R/o Village Senphi  
P.O. Sarawa  
Dist. Etawa (U.P.)

... Applicant

By Advocate: Ms Mridul Aggarwal

versus

1. National Capital Territory of Delhi  
through its  
Chief Secretary  
5, Sham Nath Marg  
Old Secretariat  
DELHI.

2. Ministry of Home  
through  
Commissioner of Police  
I.P. Estate  
NEW DELHI.

... Respondents

O R D E R (Oral)

Hon'ble Shri A. V. Haridasan, VC (J)

This application is filed by an ex-Delhi Police Constable whose services were terminated by an order dated 26.8.1986 under proviso to Sub Rule (i) of Rule 5 of Central Civil Services (Temporary Services) Rules, 1965. The applicant states that the termination of his services was on account of his involvement in a criminal case, that on the culmination of the said case though he was found guilty of offence under 380 of the IPC, he has been let off with a minor punishment of a fine of Rs.50/-

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and imprisonment Till Rising of Court and that as he has not been sentenced to any term of imprisonment, the respondents were bound to reinstate him in service. The applicant has, therefore, prayed that the order impugned may be set aside and the respondents may be directed to reinstate him in service.

2. A scrutiny of the application shows that there is not even an arguable case for the applicant. Though it is alleged that the impugned order of termination dated 26.8.1986 has been issued by an incompetent officer, the same cannot be considered now as it was open for the applicant to have challenged the order even in the year 1986. We find no justification to consider this issue at this distance of time. Further, the impugned order is an order simpliciter without a stigma and without reference to the applicant's involvement in the criminal case. We do not find any reason for judicial interference in the matter, and, therefore, the application is dismissed under Section 19(3) of the Administrative Tribunals Act, 1985. There is no order as to costs.

  
(K. Muthukumar)  
Member (A)

  
(A. V. Haridasan)  
Vice Chairman (J)

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