

OA 1505/96

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19/7/96

OA has been disposed off. by
Hon'ble chairman and Hon'ble
Mr. R.K. Ahuja member (A) on

19/7/96.

B. S. J.
C.O/C.I.

Central Administrative Tribunal:Principal Bench

OA No. 1505/96

New Delhi, this the 19th day of July, 1996

Hon'ble Mr. Justice A.P.Ravani, Chairman
Hon'ble Mr. R.K.Ahooja, Member (A)

Dharam Pal,
Sanad No. 8564
S/o Sh. Ved Prakash,
R/o B-34, Karam Pura,
Delhi-15. ...Applicant
(By Shri S.K.Gupta, Advocate)

-Versus-

1. Government of NCT Delhi,
through Chief Secretary,
5, Sham Nath Marg, Delhi.
2. Director General,
Home Guards and Civil Defence,
CTI Complex, Raja Garden,
New Delhi.
3. Commandant,
Delhi Home Guards
CTI Complex, Raja Garden,
New Delhi. ...Respondents

(By None)

ORDER (Oral)

By Hon'ble Mr. Justice A.P.Ravani, Chairman -

The applicant was in Home Guard Service as Member Home Guard. He has been discharged by order dated May 4, 1995 produced as Annexure A-1 to the application (read with Corrigendum dated May 9, 1995). The applicant preferred an appeal against the aforesaid order to the respondent no.2, i.e. Director General, Home Guards and Civil Defence, New Delhi on August 2, 1995. The said appeal has still not been decided. Hence the applicant has filed this application praying that the impugned order dated May 4, 1995 be quashed and set aside and for grant of other ancillary reliefs.

2. In view of the facts of the case, we are of the opinion that instead of entertaining the application at this stage, it would be appropriate to

dispose of the same with the following directions inasmuch as these directions would meet the ends of justice:-

(i) The applicant is directed to file three copies of the application in the Registry of the Tribunal latest by July 25, 1996.

(ii) Registry of the Tribunal is directed to send a copy of this order together with the copy of the application to the respondent no.2;

(iii) Respondent no. 2 i.e. Director General, Home Guards & Civil Defence, New Delhi is directed to decide the appeal on merits and in accordance with law, which as stated in the application has been filed before him on 2nd August, 1995. Respondent no. 2 is further directed to decide the appeal latest by September 30, 1996. A copy of the decision that may be taken by the respondent no. 2 in appeal shall be served upon the applicant by registered AD post and also by ordinary post under certificate of posting within a period of three days from the date of taking of the decision.

3. If the applicant feels aggrieved by the decision that may be taken by the respondent no. 2, it will be open to him to challenge the legality and validity of that order before the appropriate forum.

4. Subject to the aforesaid observations and directions, the application stands disposed of.

R.K.Ahooja
(R.K.Ahooja)
Member (A)

APR
(A.P.Ravani)
Chairman