

(29)

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

O.A. NO. 935/96

New Delhi this the 8th day of May, 1996.

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

Hon'ble Mr. K. Muthukumar, Member(A).

Ex. Const. Rohtash Kumar,
S/o Shri Budh Ram,
R/o 153, Champa Puri,
Gali No.1, Charkhi Dadri,
Rohtak Road,
Distt. Bhiwani (Haryana).

...Applicant.

By Advocate Shri Shanker Raju.

Versus

1. Union of India/Lt. Governor NCTD,
through Commissioner of Police,
Police Headquarters, IPS Estate,
New Delhi.

2. Dy. Commissioner of Police,
North District,
Civil Lines,
New Delhi.

...Respondents.


ORDER (ORAL)


Hon'ble Mr. Justice A.P. Ravani.

The applicant was appointed as Recruit Constable. His services have been terminated under Rule 5 of the CCS (Temporary Service) Rules, 1965 vide order dated the 30th May, 1995. The applicant has challenged the legality of this order. The contention that the order is based on misconduct and, therefore, the veil is required to be lifted and the order should be set aside, ^{in view of the contents of the order & other relevant facts.} cannot be accepted. However, the applicant has made representation to the Commissioner of Police, Delhi on 28.6.1995, a copy of which is produced as Annexure A-7 to the application. As stated in the application, the

representation has not been decided so far. In the facts and circumstances of the case, it would be proper to observe that the Commissioner of Police, Delhi, Police Headquarters, N.Delhi shall decide the representation in accordance with law, latest by 31st July, 1996. However, it is clarified that the Commissioner of Police, Delhi shall decide the representation on merits in accordance with law without being influenced by the rejection of this application.

2. Subject to the aforesaid observation, this application is rejected. No costs.


(K. Muthukumar)
Member(A)


(A.P. Ravani)
Chairman

'SRD'