

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 2802/97

New Delhi this the 18th day of May 1998

Hon'ble Shri S.R. Adige, Vice-Chairman (A)
Hon'ble Dr. A. Vedavalli, Member (J)

Shri Rajbir Singh Verma
Ex. Constable Driver No. 4495/PCR
C/o Lachman Singh Verma
V&P.O. Pooth Khurd
Delhi-110029

.....Applicant
(By Advocate: Shri R.L. Sethi)

Versus

Union of India

through

1) The Commissioner of Police
PHQ Indraprastha Estate,
New Delhi-110002.

2. The Deputy Commissioner of Police,
Police Control Room, Delhi.

.....Respondents
(SI Naresh Kumar, Departmental
representative)

ORDER (Oral)

By Hon'ble Shri S.R. Adige, Vice-Chairman (A)

Applicant impugns respondents' order dated 8.10.96 (Annexure A-I) an ex-parte order dated 5.10.94 ordering dismissal from service.

2. We have heard Shri Sethi counsel for the applicant. The departmental representative was present on behalf of the respondents.

3. Applicant states that he has been dismissed by an ex-parte order dated 5.10.94 but the same was not served upon him, and when he requested for it he

A

(2)

was informed to vide impugned Memo dated 8.10.96 that the same could not be supplied at this stage as a copy of the same had already been sent to him at his residential address through a special messenger on 9.10.94 & not finding applicant there, had handed it over to his sister-in-law (Smt. K. Devi) on proper receipt. Shri Sethi avers that applicant is not on good term with his sister-in-law and hence the aforesaid order dated 5.10.94 was not handed over to him by her.

4. Applicant's statutory appeal dated 20.11.96 (Annexure A-2) has not yet been disposed of by the respondents.

5. We dispose of this O.A. with a direction to respondents to furnish a fresh copy of the impugned order dated 5.10.94 to the applicant within one month from the date of receipt of a copy of this order, on receipt of which it will be open to the applicant to file a supplementary appeal, further to his earlier appeal dated 20.11.96, within one month of the date of receipt of that order, on receipt of which respondents should dispose of the statutory appeal as well as the supplementary appeal within two months from the date of receipt of the same in accordance with rules and instructions under intimation to the applicant.

6. The O.A. stands disposed of accordingly. No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S. R. Adige
(S. R. Adige)
Vice-Chairman (A)