

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.No.852/2000  
M.A.No.1102/2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)

New Delhi, this the 24th day of November, 2000

1. Sh. Kartar Singh  
s/o Sh. Ram Kishan  
Home Guard  
321/2P, Gali  
Akhan Wali, Than  
Singh Nagar  
Delhi.
2. Sh. Chaman Lal  
s/o Sh. Gopal Singh  
Home Guard  
235, Gali No.8  
Padam Nagar  
Delhi.
3. Sh. Madan Lal  
s/o Sh. Shadi Lal  
Home Guard  
3013/3116, Gali No.18  
Ranjit Nagar  
New Delhi - 8.
4. Sh. Anil Kumar  
Sh. Ram Avtar  
Home Guard  
House No.B-158/A  
Punjabi Basti  
Baljit Nagar  
New Delhi - 8.
5. Sh. Ratan Singh  
s/o Babu Lal  
Home Guard  
D-60, Thomson Road  
Minto Road  
New Delhi.
6. Sh. Ramesh  
s/o Pokhar  
Platoon Commander  
House No.7091  
Nabi Karim, Marwari  
Basti, New Delhi-5.
7. Sh. Nanak Chand  
s/o Ami Chand  
Home Guard  
C/2/24, Sultan Puri  
New Delhi.
8. Sh. Ram Prasad  
s/o Ram Chander  
Home Guard  
236, Cycle Market  
Jhandewalan  
New Delhi - 55.

9. Sh. Subhash  
s/o Gur Das  
Home Guard  
House No.52/44 AB  
Gali No.17, Nai Basti  
Anand Parvat  
New Delhi.
10. Sh. Kanti Prasad  
s/o Braham Jeet  
Company Commander  
1/2328A, Gali No.7  
East Ram Nagar  
Subhash Marg  
Mandoli Road  
Shahdara  
Delhi - 32.
11. Sh. Man Singh  
S/o Samokhan Singh  
Platoon Commander  
F-3/387, Sultan Puri  
New Delhi.
12. Jai Karan  
s/o Munni Lal  
Home Guard  
A-41, G.No.6, Anand Parbat  
New Delhi.
13. Devi Bakhar  
s/o Ram Chiritee  
Home Guard  
12, South Ganesh Nagar  
Delhi.
14. Raj Kumar Sharma  
s/o Ram Pal Sharma  
18/20 Krishna Gali  
Maujpur  
Delhi - 53.
15. Lokman  
s/o Doagher Mal  
7/318 Boypuri Colony  
Delhi.

... Applicants

(By Shri Vinay Sabharwal, through Shri Md.Irshad,  
Advocate)

Vs.

1. Government of NCT of Delhi  
through its Chief Secretary  
5, Sham Nath Marg  
New Delhi.
2. The Commandant  
Home Guards  
Delhi



Directorate General of Home Guards  
& Civil Defence  
Nishkam Sewa Bhawan  
Raja Garden  
New Delhi - 110 027.

3. The Commissioner of Police  
Delhi Police Headquarters  
I.P.Estate  
New Delhi. ... Respondents

(By Shri Rajinder Pandita, Advocate)

O R D E R (Oral)

Heard the counsel for the applicants and the respondents. The applicants also filed the written arguments.

2. This OA is filed by several Home Guards aggrieved by their discharge on various grounds. This case is, in my view, <sup>is</sup> covered by <sup>the judgment in</sup> OA No.493/2000, decided on 20.10.2000 (Upendra Tripathi & Others Vs. Govt. of NCT of Delhi and Others), where it was held that the Home Guards have a right only to make a representation to the Government and have no right to approach the Court seeking to quash the order of their discharge. It was also held that if the Home guards are ~~said~~ to be discharged within a period of three years a notice is needed to be given. In case of Home Guards who had completed three years service, as in the present case, no such notice ~~is~~ needs to be given. In the circumstances, following the above Judgement, the OA is ~~accordingly~~ <sup>is</sup> dismissed, ~~In the circumstances~~ without costs.

  
(V. RAJAGOPALA REDDY)  
VICE CHAIRMAN(J)

/RAO/