

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No. (1) OA 2220/88
(2) OA 496/89

Date of decision 27.05.92.

(1) OA 2220/88

Shri Manoj Kumar & Others ... Applicants
Vs.

U.O.I. & Others ... Respondents

(2) OA 496/89

Shri Subodh Kumar & Others ... Applicants
Vs.

Union of India & Others ... Respondents

For the Applicants in (1) and (2) above ... Shri J. P. Verghese, Counsel

For the Respondents in (1) and (2) above ... Mrs. Avnish Ahlawat, Counsel

CORAM:

The Hon'ble Mr. P. K. KARTHA, VICE CHARMAN(J)

The Hon'ble Mr. I. K. RASGOTRA, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment? *Yes*

2. To be referred to the Reporters or not? *No*

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Shri P. K. Kartha,
Vice Chairman(J))

We have heard the learned counsel of both parties.

The applicants in these applications were candidates for appointment to the post of Constables in the Delhi Police.

Pursuant to their applications, call letters were sent to them on various dates in September, 1987. Thereafter, they were selected and appointed as Constables and continued

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to work as such till their services were terminated by the impugned order dated 19.04.1988 which was issued in pursuance of the proviso to sub-rule (i) of Rule 5 of the CCS(Temporary Service) Rules, 1965. The reason for terminating their services is that they had produced bogus registration of their employment exchange cards.

No show cause notice or inquiry was held against the applicants before their services were terminated.

2. In a similar case which was decided on 26.04.1991

(OA 2113/88 - Shri Vinod Kumar Vs. Delhi Administration

(U) (ART 14) (KAMLAJALI S. S. L. CO. and Others) to which one of us is a party" (Shri I.K.

Rasgotra), a similar impugned order dated 19.04.1988 had been challenged by the applicants. The issues of law and facts in the two applications before us are identical.

3. Following the ratio in Vinod Kumar's case, we set aside and quash the impugned order of termination dated 19.04.1988 whereby the services of the applicants have been terminated under Rule 5(i) of the CCS(Temporary Service)

Rules, 1965. The applicants shall be deemed to be reinstated from the date their services were terminated and also ~~as~~ they shall be entitled to all consequential benefits.

4. The respondents are, however, not precluded from taking appropriate action against the applicants in

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For the Applicants in (1) and
(2) above

Shri J. P.
Vergheze, Counsel

For the Respondents in (1) and
(2) above

Mrs. Avnish
Ahlawat, Counsel

CORAM:

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We have heard the learned counsel of both parties.

The applicants in these applications were candidates for
appointment to the post of Constables in the Delhi Police.

Pursuant to their applications, call letters were sent to
them on various dates in September, 1987. Thereafter, they
were selected and appointed as Constables and continued

accordance with law to establish their guilt and take further necessary action as warranted.

There will be no order as to costs.

Let a copy of this order be placed in both the case files.

(I.K. RASGOTRA)
MEMBER (A)
27.05.1992

(P.K. KARTHA)
VICE CHAIRMAN (J)
28.05.1992

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CERTIFIED TO BE TRUE COPY
Date: 28/5/92

Section Officer
Central Administrative Tribunal
Principal Bench, Patidkot House
New Delhi