

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. 521/89

Date of decision: 22.4.89

Raj Kumar

.. Applicant

Versus

Delhi Admn. & ors. ... Respondents.

Sh.N.S.Dalal ... Counsel for the applicant.

Sh.M.C.Garg ... Counsel for the respondents.

CORAM:

The Hon'ble Sh.Justice Ram Pal Singh, Vice Chairman(J).

The Hon'ble Sh.A.B.Gorthi, Member(A).

J U D G E M E N T

(Delivered by Hon'ble Sh.Justice Ram Pal Singh, V.C.(J)).

The applicant was a Constable in Delhi Police whose services were terminated on 4.5.1988 by orders of Additional Dy.Commissioner of Police, South District, New Delhi. The applicant aggrieved by this order, filed a representation before the Commissioner of Police, Delhi Headquarters, who rejected the representation by his order dated 2.6.88. Thereupon the applicant filed a representation before the President of India, which was also rejected. Consequently, the applicant filed this O.A. under Section 19 of the Administrative Tribunals Act of 1985 challenging these orders.

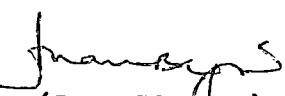
2. Sh.N.S.Dalal, learned counsel for the applicant contended that he raised several points in the representation which he filed before the Commissioner of Police. We have perused that representation which undoubtedly contains not only the questions of fact but also the questions of law. When an order is challenged before the higher authorities and grounds are raised then it is the bounded duty of the appropriate authority to

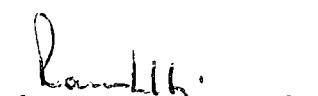
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to pass a well reasoned order meeting all the arguments on grounds raised in the representation. We are satisfied that on this short ground this O.A. deserves to be allowed.

3. The responsibility of the higher authority becomes more heavy when he is to apply his mind to the question of dismissal of an employee. A termination involves total dissection from the department depriving him of the livelihood. Such questions are to be taken more seriously and grounds, ~~are to be considered~~ which are raised before the authority, should be properly considered. We, therefore, quash the order of the appellate authority i.e. dated 3.3.88, passed by the Additional Dy.Commissioner of Police, South District, New Delhi and direct him to pass a reasoned order in which all the grounds raised by the applicant should be met and answered, preferable, within a period of three months from the date of receipt of a copy of this judgement.

3. Sh.M.C.Garg, learned counsel for the respondents has vainly tried to justify the impugned order passed on 2.6.88. We, therefore, reject his contentions. Parties are directed to bear their own costs.


(A.B.GORTHI)
MEMBER(A)


(RAM PAL SINGH)
VICE CHAIRMAN(J)