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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No.OA 692/89

Date of decision 17/4/1989.

Shri Sohanvir Singh

.....Applicant

Vs.

Commissioner of Police

.....Respondents

For the Applicant

.....Shri Shanker Raju,
Counsel

For the Respondents

.....Shri G.C. Lalwani,
Counsel

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR. AJAY JOHRI, 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)

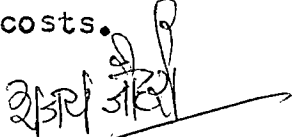
The applicant who has been working as a Constable in the Delhi Police filed the present application under Section 19 of the Administrative Tribunals Act, 1985 praying that the impugned order dated 27.3.1989 passed by the respondents in pursuance of Rule 5(1) of the CCS (Temporary Police Service) Rules, 1965, be quashed. The application came up for admission on 17-04-1989.

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2. We have heard the learned counsel of both parties and have gone through the records of the case. The applicant has filed the present application without making any representation to the respondents against the impugned order. Under Rule 5(2) of the CCS (Temporary Service) Rules, 1965, a Government servant whose services have been terminated, may make a representation to the department concerned. In the present case, the applicant filed the application without making such a representation. We are, therefore, of the opinion that the application has been filed prematurely.

3. In the circumstances, we direct that the applicant may make a representation to the competent authority against the impugned order dated 27.3.1989 within a fortnight from the date of receipt of a copy of this order. The competent authority shall consider the representation and pass a speaking order as expeditiously as possibly but in no event later than one month from the date of receipt of such representation. The impugned order dated 27.3.1989 shall remain stayed till the competent authority gives its decision on the representation.

4. In case the applicant is aggrieved by the decision of the competent authority, he will be at liberty to file a fresh application in the Tribunal in accordance with law, if so advised. The application is disposed of on the above lines at the admission stage itself. There will be no order as to costs.


(AJAY JOHRI)
ADMINISTRATIVE MEMBER


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