

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1970/88

New Delhi this the 10th Day of December, 1993

THE HON'BLE MR. J.P. SHARMA, MEMBER (J)
THE HON'BLE MR. P.T. THIRUVENGADAM, MEMBER (A)

Shri Baljit Singh,
Son of Shri Baru Ram,
Resident of House No. K-44,
Wazirpur,
Delhi-110 052.

... Petitioner

(By Advocate None)

Vs

1. Delhi Administration,
through its Chief Secretary,
Old Secretariat,
Rajpur Road,
Delhi.
2. Commissioner of Police,
Police Headquarters,
IP Estate,
New Delhi-110 002.

... Respondents

(By Advocate Ms. Avnish Ahlawat)

O R D E R (Oral)

Hon'ble Mr. J.P. Sharma, Member (J)

The applicant was selected as constable in Delhi Police and he was asked to submit his verification form for getting his antecedents verified from the place of his residence etc. In the meantime the applicant was asked to join the duties and he joined on 1.10.1987 and was sent for training to the recruits training in the Police Recruit Training School. On the basis of an enquiry it was found that the applicant is involved in a criminal case of PS Mahim, District Rohtak under section 148, 149, 324 I.P.C. FIR No. 227. By the impugned order dated 17.5.1988 his services were dispensed, with under Section 5(1) of the Civil Services (TS) Rules, 1965.

The applicant challenged this order praying for the grant of the relief for quashing the same and his reinstatement and consequential benefits.

The respondents in their reply stated that the antecedents of the applicant on verification did not justify his retention in the Delhi Police force and he had already been arrested in a criminal case on 15/16.9.1987 and facing trial before the judicial magistrate at Rohtak in Haryana. Under Delhi Police recruitment and appointment rules 1980 all appointments are made primarily on temporary basis on probation for a period of two years and the services of a probationer can be dispensed with at any time. In this case the application has not denied his involvement in a criminal case and a person with shady character cannot aspire for a member of the disciplinary police force. The services have been terminated according to the rules under which he was governed without attaching any stigma. The order of termination is not punitive in nature. We ~~find~~ no merit in this application and the same is dismissed. However, the applicant shall be at liberty to agitate the issue of re-engagement by a representation to the respondents after acquittal from the criminal court and the respondents will consider his application if he is still aggrieved. He can assail the final order according to law, if so advised.

P. T. T.

(P.T.Thiruvengadam)

Member (A)

J. P. Sharma

Member (J)

10/12/75

Mittal