

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

O.A. No.  
206

198  
of 1987

DATE OF DECISION 21.5.1987

Zile Singh

Petitioner

B.S.Gupta

Advocate for the Petitioner(s)

Versus

Delhi Administration

Respondent

Mrs. Avnish Ahlawat

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr.

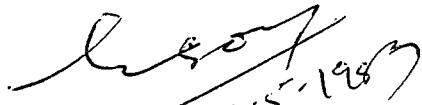
Kaushal Kumar, Administrative Member

The Hon'ble Mr.

G.Sreedharan Nair, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No

  
(Kaushal Kumar)  
Administrative Member

  
(G.Sreedharan Nair)  
Judicial Member

FINAL ORDER

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

Original Application No. 206 of 1987

(S)

Zile Singh .. Applicant  
-Vs.-  
Delhi Administration .. Respondent  
Counsel for applicant .. Mr. B.S. Gupta, Advocate  
Counsel for respondent .. Mrs. Avnish Ahlawat

CORAM: Hon'ble Mr. Kaushal Kumar, Administrative Member  
and  
Hon'ble Mr. G. Sreedharan Nair, Judicial Member

ORDER OF THE TRIBUNAL DELIVERED BY

Hon'ble Mr. Kaushal Kumar, Administrative Member  
on 21.5.1987

In this application, the applicant after  
himself the  
discharge from the Army, got/enrolled with/Director  
General, Resettlement, Ministry of Defence and on 5.6.1978  
was appointed as a temporary constable against the vacancy  
of Ex.Serviceman in the Delhi Police for three years.

His services were terminated with effect from 19.3.1980  
under Rule 5(1) of the Central Civil Services (Temporary  
Services) Rules 1965 - vide Order No. 1351-70/EST.DAP  
dt. 13.3.1980. Subsequently, the applicant in October  
1986 applied for fresh appointment in the Delhi Police.

*Khurana*

(6)

against Ex.Serviceman quota. However, he

appeared for the physical and written test.

On a scrutiny of the records, it revealed that

the applicant was not an Ex.Serviceman, but was

a Constable whose services had earlier been

terminated and on that ground he was not

offered appointment by the Delhi Administration.

In this application, the applicant has challenged

the order No.10973/R.Cell III B. DPP dt.24.12.1986

issued by the 3rd respondent. The learned counsel

for the applicant contended that the applicant's

case had not been considered against the vacancy of

Ex.Serviceman even though he continued to remain

as Ex.Serviceman and as such he was entitled to

fresh appointment in this capacity. He further

contended that the reasons for the applicant's

earlier termination by the Delhi Police had not

been disclosed.

Having heard the arguments on both sides, we find that the order of termination which was passed in March 1980 cannot be challenged now. Nor is the said termination order the subject matter of the present application. The applicant having once been recruited on the basis that he was an Ex-Serviceman, prima facie he cannot claim fresh appointment on the said basis. Further, the respondents

*Abdul*

(2)

are entitled to go into the character and antecedents of the applicant before offering him the appointment. Since the applicant's services had already been terminated from the Delhi Police, he has no right as such for a fresh appointment. The application is accordingly rejected.



(Kaushal Kumar)  
Administrative Member



(G. Sreedharan Nair)  
Judicial Member

21.5.1987