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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

Regn.No.OA 1022/1990

Date of decision:29.03.1993.

Shri Subhash Chand

...Applicant

Versus

Lt. Governor of Delhi and Others

...Respondents

For the Applicant

...Shri A.S. Grewal,  
Counsel

For the Respondents

...Ms.. Veena Kalra,  
proxy counsel for  
Mrs. Avnish Ahlawat,  
Counsel

CORAM:-

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN  
THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

1. To be referred to the Reporters or not?

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr. Justice  
S.K. Dhaon, Vice Chairman)

In exercise of the power under Rule 5 of the CCS (Temporary Service) Rules, 1965, the Deputy Commissioner of Police on 14th of July, 1987, passed an order terminating the services of the applicant. In lieu of <sup>one</sup> month's notice, the applicant was offered pay for one month including the allowances. This order is being impugned in the present petition.

2. A reply has been filed on behalf of the respondents. Though a rejoinder-affidavit was to be filed but in fact the learned counsel for the applicant states at the ~~Bar~~ that he does not propose to file it.

3. In the counter-affidavit it has been emphasised that the applicant had been a habitual absentee. We may note that the applicant had been appointed in a temporary capacity on
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21st October, 1986 and was sent to duty immediately after his recruitment. He absented himself during training.

2. Having heard the learned counsel for both parties and after considering the matter with anxiety, we feel that no case has been made out by the applicant for the grant of the relief. We are also satisfied that the impugned order has not been passed by way of punishment and it is an order of discharge simplicitor. No cause, therefore, exists for interference.

The petition is thus dismissed with no order as to costs.

(I.K. RASGOTRA)  
MEMBER (A)  
29.03.1993

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(S.K. DHAON)  
VICE CHAIRMAN  
29.03.1993

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