

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1690/2004

This the 16th day of July, 2004

HON'BLE JUSTICE SH. V.S. AGGARWAL, CHAIRMAN
HON'BLE SH. S.A. SINGH, MEMBER (A)

Mr. Prem Prakkash Meena
Son of Sh. Birbal Ram
R/o Village & P.O. Nayabas
P.S. Neem ka Thana, Distt. Sikar
Rajasthan.

... Applicant

(By advocate: Ms. Jasvinder Kaur)

Versus

Govt. of NCT Delhi
Through Jt Commissioner of Delhi Police
Southern Range,
Police Head Quarters
IP Estate, New Delhi.

... Respondent.

O R D E R (ORAL)

By Justice Shri V.S. Aggarwal, Chairman

The applicant was a Constable in Delhi Police. He faced disciplinary proceedings. In pursuance thereto, the disciplinary authority imposed a penalty of dismissal from service. His appeal has been dismissed on 04.12.2004.

2. By virtue of the present application, he seeks to assail the orders passed by the disciplinary as well as appellate authority.

3. The fact asserted against the applicant was that he remained unauthorisedly absent on the following occasions:-

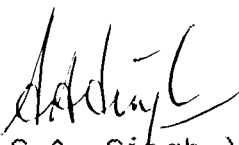
| | | | |
|----|-----------|-----------|----------|
| 1. | 2.4.99 | 14.9.99 | 146 days |
| 2. | 1.10.99 | 6.10.99 | 4 days |
| 3. | 7.10.99 | 6.1.2000 | 90 days |
| 4. | 31.1.2000 | 14.3.2000 | 42 days |
| 5. | 3.4.2000 | 2.7.2000 | 90 days |
| 6. | 4.7.2000 | 3.8.2000 | 29 days |


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4. Despite notices he did not report for duty.

5. The sole ground taken up by the applicant is that he was mentally depressed and, therefore, did not join duty.

6. In a disciplined force, continued absence from duty for more than 350 days can indeed be taken up as a gross misconduct. What is important is that the applicant never intimated the authorities in this regard. He has failed even on record to establish what is urged at the Bar. There is little ground to interfere in the matter. The O.A. must fail and is dismissed in limine.


(S.A. Singh)
Member(A)


(V.S. Aggarwal)
Chairman

/kdr/