

**Central Administrative Tribunal
Principal Bench**

OA No.100/487/2013

New Delhi this the 11th day of August, 2016

**Hon'ble Mr. Justice M.S. Sullar, Member (J)
Hon'ble Mr. V.N. Gaur, Member (A)**

Shri Gajender Kumar,
S/o Shri Chiranjee Lal,
Age about 50 years,
R/o Vill. Ainchikala, Distt. Meeruth,
Uttar Pradesh.

...applicant

(None)

Versus

Govt. of NCT of Delhi, Through

1. The Chief Secretary,
Old Secretariat,
New Delhi.
2. The Director,
Directorate of Education,
Govt. of NCT of Delhi,
Old Secretariat,
New Delhi.
3. Principal,
Govt. Sarvodaya Vidyalaya,
Laxmi Nagar,
New Delhi.

...respondents

(By Advocate : Shri Vijay Pandita)

ORDER (ORAL)

Mr. Justice M.S. Sullar, Member (J) :-

The applicant, Shri Gajender Kumar, filed the instant Original Application (OA), as back as on 06.02.2013, challenging the impugned order dated 15.09.2009 (Annexure-A/1), passed by the Disciplinary

Authority, imposing upon him a penalty of dismissal from service, on the basis of conviction of a murder charge in a criminal case, being illegal, arbitrary and without jurisdiction, invoking the provisions of Section 19 of the Administrative Tribunals Act, 1985.

2. The respondents refuted the claim of the applicant and filed the reply stoutly denying all the allegations and grounds contained in the OA and prayed for its dismissal.

3. As is evident from the record, the OA was repeatedly adjourned on one pretext or the other. Ultimately, the case was slated for today for arguments. Today again, as nobody is appearing on behalf of the applicant, despite repeated calls, to argue this old matter, so we have no option but to dismiss the instant OA in default.

4. Therefore, the OA is, hereby, dismissed in default on account of non prosecution.

(V.N. Gaur)
Member (A)

(Justice M.S. Sullar)
Member (J)

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