

(2003) 09 DEL CK 0022
In the Delhi High Court
Case No : CWP No. 3505 of 2003

D.T.C.

APPELLANT

Vs

Dharam Pal Gupta

RESPONDENT

Date of Decision : 25-09-2003

Acts Referred:

Citation : (2003) 09 DEL CK 0022

Hon'ble Judges : Mukul Mudgal, J

Bench : Single Bench

Advocate : Alok Shankar, for the Appellant; Rekha Palli, for the Respondent

Final Decision : Dismissed

Judgement

Mukul Mudgal, J.—Rule. With the consent of the counsel for the parties the matter is taken up for final hearing.

2. This writ petition challenges the order dated 11th October, 2002 justifying the termination of services of respondent No. 1 upon the validity of enquiry having been held against the petitioner/DTC. The Industrial Tribunal permitted the petitioner/DTC to lead evidence. Evidence was led accordingly. The Industrial Tribunal has found that the case of the petitioner is based upon the statement of passenger witnesses who had contradicted the stand of the petitioner. The case of the petitioner was that the respondent had not returned the excess money to the passengerRs. Both the passengers who deposed had admitted that they were told by the conductor that they will be returned money before disembarkation and in fact supported such a stand taken by the respondent. In this view of the matter apart from the fact that the order is based on statements of witnesses, even the evidence of DTC contradicts the stand taken by it. Therefore, there is no merit in the writ petition and it is dismissed accordingly.