
(2012) 05 DEL CK 0199
In the Delhi High Court
Case No : Writ Petition (C) No. 2869 of 2012

Vikas Kumar

APPELLANT

Vs

CRPF

RESPONDENT

Date of Decision : 14-05-2012

Acts Referred:

Central Civil Services (Temporary Service) Rules, 1965 — Rule 5

Citation : (2012) 05 DEL CK 0199

Hon'ble Judges : Sudershan Kumar Misra, J;Anil Kumar, J

Bench : Division Bench

Advocate : Lalit Kumar, for the Appellant; Jatan Singh, Central Govt. Standing Counsel, for the Respondent

Judgement

Anil Kumar, J.—The petitioner has challenged the order dated 23rd December, 2011 passed by the respondent terminating the services of the petitioner forthwith under sub Rule 5 of Central Civil Service (Temporary Service) Rules, 1965 with a stipulation that the petitioner shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of notice at the same rate at which he was drawing them immediately before the termination of his service or as the case may be, for the period by which such notice falls short of one month and striking off the petitioner from the strength of the force from 23rd December, 2011. The petitioner had joined the CRPF on 6th March, 2011 and underwent the training for eight weeks out of which he had completed four weeks training whereafter he received the letter dated 23rd December, 2011 terminating his services without assigning any reason.

2. The petitioner has contended that he had filed a representation and his representation be treated as an appeal against his order of dismissal dated 23rd December, 2011 but he has not received any reply from the respondent till date.

3. The learned counsel for the respondent, Mr.Jatan Singh who appears on advance notice states that the representation was filed by the petitioner before a wrong authority. On instructions he has stated that the representation of the

petitioner shall be considered as an appeal by the appropriate authority and shall now be disposed of by the competent authority within four weeks.

4. In view of the statement made by the learned counsel for the petitioner that the representation of the petitioner against his order of removal dated 23rd December, 2011 shall be considered as an appeal and shall be disposed of within four weeks, the learned counsel for the petitioner on instructions seeks to withdraw the writ petition with liberty to file an appropriate writ petition in case the appellate authority rejects the representation/appeal of the petitioner or if any of the grievances of the petitioner will remain unsatisfied.

4. Consequently the writ petition is dismissed as withdrawn with the liberty as prayed for by the learned counsel for the petitioner. The respondent is, however, also directed to send the copy of the decision on the representation/appeal to the petitioner at the address of the petitioner given in the representation/appeal within two weeks after the disposal of the said representation/appeal. With these directions the writ petition is disposed of. Copy of this order be given dasti to the counsel for the parties.