

PETITIONER:
MANDEEP KUMAR ETC.

Vs.

RESPONDENT:
STATE OF HARYANA AND ANR. ETC.

DATE OF JUDGMENT 02/11/1995

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
HANSARIA B.L. (J)

CITATION:
JT 1995 (8) 445 1995 SCALE (6) 366

ACT:

HEADNOTE:

JUDGMENT:

W I T H
CIVIL APPEAL NO. 10218 OF 1995
(Arising out of SLP (C) No.22617 of 1994)
O R D E R

C.A.NO. 10217 /95
(@SLP (C) NO.11897/94)
Leave granted.

In view of the fact that absence from duty from 2nd to 5th November, 1990 for nine days was already converted to casual leave, the absence from 27th and 28th January, 1991 and from 5th to 7th May, 1991 was for one day 23 hours and 30 minutes, practically two days, and from 1st to 3rd February, 1992, practically two days, being marginal lapse, on the part of the appellant, we, in the fact and circumstances of the case, think that he may be given a fresh opportunity to improve his excellence in the performance of his duty. If the appellant absents himself from duty without leave even on a single occasion during next two years, his services may be discharged. On reinstatement, pursuant to this order, the appellant would not be eligible for payment of arrears of salary.

The appeal is allowed accordingly. No costs.

C.A. NO. 10218/95
(@ SLP (C) NO. 22617/94)
Leave granted.

Appellant's absence from duty on 3rd March, 1991, for 1 day, 6 hours and 35 minutes, on 26th April, 1991, for 10 hours and 35 minutes, on 22nd May, 1991, for 16 hours being marginal lapse on his part, we, in the facts and circumstances of the case, think that he may be given a fresh opportunity to improve his excellence in the performance of the duty. If the appellant absents himself from duty without leave even on a single occasion during next two years, his services may be discharged. On reinstatement, pursuant to this order, the appellant would not be eligible for payment of arrears of salary.

The appeal is accordingly allowed. No costs.

JUDIS