

Bikramjit Singh

Vs

Union of India and Others

Civil Appeal No. 62 of 1983

(K. N. Singh, K. Jagannatha Shetty, Kuldip Singh JJ)

11.01.1989

ORDER

1. This appeal is directed against the order of the High Court of Delhi dated July 22, 1982 dismissing the appellant's writ petition made under Article 226 of the Constitution of India challenging the validity of the order dated March 27, 1982 terminating his services in pursuance of sub-rule (1) of Rules 5 of the Central Civil Services (Temporary Services) Rules, 1965.

2. After hearing learned counsel for the parties, we do not find any infirmity in the order of termination. Appellant's services were terminated as his work and performance in service was not found satisfactory, inasmuch as he had been obtaining leave from 1973 to 1981 as follows :

1973 - 198 days 1974 - 114 days 1975 - 154 days 1976 - 137 days 1977 - 207 days
1978 - 126 days 1979 - 97 days 1980 - 177 days 1981 - 270 days##

3. The above statement would show that for the major part of his service career, he has been on leave. This indicates that he was not interested in doing work. Admittedly the appellant was a temporary employee and his services could have been terminated by giving him one month's notice in accordance with the rules. We find no merit in the appeal, which is, accordingly, dismissed. There will be no order as to costs.

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