

Mandeep Kumar and Others

Vs

State of Haryana and Another

Civil Appeals No. 10217 of 1995

(K. Ramaswamy, B. L. Hansaria JJ)

02.11.1995

ORDER

CA No. 10217 of 1995 [@ SLP (C) No. of 1994]

1. Leave granted.

2. In view of the fact that absence from duty from 2-11-1990 to 5-11-1990 for nine days was already converted to casual leave, the absence from 27-1-1991 and 28-1-1991 and from 5-5-1991 was for one day, 23 hours and 30 minutes, practically two days, and from 1-2-1992 to 3-2-1992, practically two days, being a 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.

3. The appeal is allowed accordingly. No costs.

CA No. 10218 of 1995 [@ SLP (C) No. 22617 of 1994]

4. Leave granted.

5. Appellant's absence from duty on 3-3-1991, for 1 day, 6 hours and 35 minutes, on 26-4-1991, for 10 hours and 35 minutes, on 22-5-1991, for 16 hours being a 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 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.

6. The appeal is accordingly allowed. No costs.