

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.9843 of 2014  
[@ Special Leave to Appeal (C) No(s). 9284 of 2013]

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

DHARAMBIR SINGH DABAS

Respondent(s)

O R D E R

Leave granted.

This appeal has been preferred against the impugned judgment and order dated 19.11.2012 passed by the High Court of Delhi at New Delhi in W.P. (C) No. 5973 of 1999. By the impugned judgment and order, the High Court allowed the writ petition preferred by the respondent - writ petitioner and set aside the order of termination dated 05.04.1999.

The respondent was on probation. During his probation period, his services were terminated. The order of termination issued by the competent authority reads as follows:

"In pursuance of the proviso to sub-Rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rule, 1965, the President hereby terminates forthwith the services of shri D.S. Dabas, Assistant Commandant, Central Industrial Security Forces and directs that he shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of notice at the same rates 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."

Signature Not Verified

Digitally signed by  
Meenakshi Kohli  
Date: 2014.10.18  
06:47:43 IST  
Reason:

Under proviso to sub-Rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rules, 1965, it is always open to the competent authority to terminate the service, if service is found to be unsatisfactory during the period of probation. The order of termination being simplicitor issued under the proviso of sub-Rule



(MEENAKSHI KOHLI)  
COURT MASTER

(USHA SHARMA)  
COURT MASTER

[Signed Order is placed on the file]