

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 25257 OF 2008

ORDER :

This Writ Petition has been filed complaining inaction on the part of the 4th respondent in considering the Application made by the petitioner on 25.08.2008 seeking earned leave for 30 days on humanitarian grounds.

On 25.11.2008, this Court directed the respondents to take a decision as to whether the petitioner is entitled for grant of leave or not. On 04.12.2008, when the matter was taken up, learned Standing Counsel for the respondents had submitted that the Application of the petitioner for grant of earned leave was rejected by order dated 03.12.2008. As the said order emerged after institution of the Writ Petition, this Court directed the respondents to file a detailed counter-affidavit.

The 4th respondent had filed the counter-affidavit stating that by order dated 03.12.2008, the leave Application of the petitioner was rejected and subsequently, on 04.12.2008, his services were also terminated in accordance with Rule 6 of the Central Civil Services (Temporary Service) Rules, 1965 on his being declared 'physically unfit' for continuance in service as a combatant member of the Force.

In those circumstances, leaving it open to the petitioner to work out the remedies, if any in accordance with law, the Writ Petition stands closed. No costs.

Consequently, the miscellaneous applications, if any shall also stand closed.

CHALLA KODANDA RAM, J

10th November 2016

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