

14

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 1370/2002

Monday, this the 5th day of May, 2003

HON'BLE MRS. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)
HON'BLE MR. V.K. MAJOTRA, MEMBER (A)

HC (Dvr) Darshan Singh,
PIS No. 28810506
R/o Vill. & PO : Ladrawan,
P.S. Bahadur Garh,
Distt: Rohtak, Haryana

.... Applicant

(By Advocate : Shri Anil Singal)

Versus

1. Commissioner of Police,
Police Head Quarters,
IP Estate, New Delhi
2. Joint Commissioner of Police,
(Operations), PHQ,
I.P. Estate, New Delhi
3. Addl. DCP (PCR),
Police Headquarters,
IP Estate, New Delhi

.... Respondents

(By Advocate : Shri Ram Kawar Dhillon)

O R D E R (Oral)

BY V.K. MAJOTRA, MEMBER (A) :

Applicant has assailed the punishment of forfeiture of five years approved service permanently for a period of five years entailing reduction in his pay by five stages from Rs.4700/- per month to Rs.4200/- per month in the time scale of pay w.e.f. 9.3.1998. It has also been ordered that the reduction will have effect of postponing future increment.

2. The learned counsel has relied on 2002 VIII AD (DELHI) 529 Shakti Singh Vs. Union of India & Ors. decided by the Hon'ble Delhi High Court on 17.9.2002 wherein it has been held that multiple punishment is not in
- 14

15

(2)

accordance with the law keeping in view the provisions contained in Rule 8 (d) (ii) of Delhi Police (Punishment & Appeal) Rules, 1980. We have also heard the learned counsel of respondents.

3. Having regard to the provisions of rule 8 (d)(ii) of the said Rules, we are of the opinion that the punishment awarded in the present case is indeed multiple punishments and not in accordance with the provisions of rule 8 (d)(ii) of the said Rules. In this view of the matter, we are of the opinion that the matter should be remitted to the disciplinary authority for imposition of punishment in terms of the judgement in the case of Shakti Singh (supra). The punishment order dated 9.3.1998 (Annexure A-4) issued by the disciplinary authority and the order dated 11.8.1998 (Annexure A-5) issued by the appellate authority are quashed and set aside and the case is remitted to the disciplinary authority as described above. It is stated herein that we are not expressing anything in regard to the merit of this case.

No order as to cost.

V.K. Majotra
(V.K. MAJOTRA)

Member (A)

Lakshmi Swaminathan
(MRS. LAKSHMI SWAMINATHAN)

Vice Chairman (J)

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