

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.2083/2002

this the day of 7th November, 2002

Hon'ble Sh.Shanker Raju, Member(J)

Prakash Chand, Ex.Ct.(Dvr) No.4281/PCR
S/o Shri Mam Chand Meena,
R/o Village Shyou, PO:Ababdoyra,
Via Govindgarh(Malik Pur), Teh: Chaurru,
Jaipur(Rajasthan). ...Applicant.
(By Advocate: Shri U.Srivastava)

Versus

Govt. of NCT Delhi, through
1. The Chief Secretary,
Govt. of NCT Delhi,
5, Sham Nath Marg, New Delhi.

2. The Commissioner of Police,
Delhi Police Headquarter,
Indraprastha Estate,
New Delhi-2 ...Respondents

ORDER(ORAL)

By Hon'ble Sh.Shanker Raju, Member(J)

Applicant impugns the respondents' order dated 11.5.2000 whereby he was invalidated on the ground that two fingers of his left hand cut down in thresher machine in October, 1996. He also impugns the final settlement of retiral dues that have been working out by the respondents. Applicant preferred a statutory appeal against the order passed by the Additional Deputy Commissioner of Police vide order dated 11.5.2000 on February, 2001, which has not yet been disposed of by the respondents. Referring to Section 47 of the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995, learned counsel for applicant contends that in the matter of disability caused during the course of service, no establishment

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(2)

can reduce or dispense with the services of the applicant and if he is not suitable for the post, he was holding, he can be shifted to some other post. Shri U.Srivastava further states that applicant, who was disabled since 1996, had performed his duties till 2000.

2. In view of the matter, ends of justice would be duly met, if the OA is disposed of at this stage by directing the respondents to consider the statutory appeal preferred by the applicant and also treat this OA as a supplementary appeal and to pass a reasoned, detailed and a speaking order in the light of relevant instructions within a period of two months from the date of receipt of a copy of this order.

S. Raju

(Shanker Raju)
Member(J)

/kd/