

2

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 2256/2002

This the 2nd day of September, 2002

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Layak Ram Sharma
House No. F-6,
Nag Mandir Road
Shastri Nagar
Delhi.
(By Advocate: Sh. M.K.Bhardwaj)

Versus

1. Lt. Governor
NCT of Delhi
New Delhi.
2. Commissioner of Police
Police Headquarters
I.P.Estate
New Delhi.
3. The Secretary
Govt. of India
Ministry of Home Affairs,
New Delhi.

ORDER (ORAL)

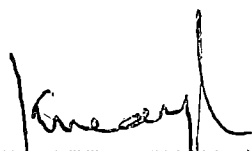
Applicant has filed this OA seeking retiral benefits including gratuity etc. Applicant further states that his retiral benefits were withheld since an enquiry was pending against him but the same has now been finalised and has been dropped. Vide Annexure A-5 the department has itself observed that the entire departmental proceedings have been vitiated. Decision was taken to conduct a fresh enquiry but so far no enquiry has been conducted.

2. It was also pointed out that another person, who was also involved in that enquiry alongwith the applicant, had filed an OA which was allowed and applicant therein, i.e. ASI Rejender Singh was given the benefit and was exonerated by the Tribunal on the ground that there was no offence against him. He was also given consequential benefits. So in the letter dated

ku

22.9.98 it was observed that out of the four, only the present applicant has been left to face fresh enquiry but no final decision has been taken by the department to conduct a fresh enquiry.

3. In view of these circumstances, the OA can be disposed of with a direction to the respondents to take a final decision whether any enquiry is to be conducted against the applicant or not. If they arrive at the decision that no enquiry is to be conducted, then the retiral benefits be released as per the rules within 3 months from the date of receipt of a copy of this order. OA is disposed of.


(KULDIP SINGH)
MEMBER (J)

"sd"