



**Central Administrative Tribunal
Principal Bench**

OA No. 3914/2017

New Delhi, this the 20th day of January, 2020

**Hon'ble Mr. S.N. Terdal, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Sh. Sumit Kumar (Aged 29 yrs.) Gr- C
S/o Sh. Ajab Singh
R/o Village Kundu
Tehsil Sikandrabad
District Bulandshahar, U.P.
Pin – 203203.

.....Applicant

(By Advocate : Mr. Arun Sapra & Dr. Kanwal Sapra)

Versus

1. The Commissioner of Police
Delhi Police
Police Headquarters, MSO Building, I.P. Estate, New Delhi.
2. Dy. Commissioner of Police
Traffic, Eastern Range, Delhi
(Office at P.S. Shakarpur, East Distt., Delhi).
3. Dy. Commissioner of Police
6th BN., Delhi Armed Police, New Police Lines, Kingsway Camp, Delhi.

..... Respondents

(By Advocate : Ms. Harvinder Oberoi)

ORDER (ORAL)

Heard Mr. Arun Sapra, counsel for applicant and Ms. Harvinder Oberoi, counsel for respondents.

2. This OA has been filed seeking the following reliefs :-
 - (a) Call for the record of the case;



(b) Set aside and quash the impugned order of holding departmental enquiry issued vide Annexure A/1 and order of rejection of representation vide Ann-A/2 and exonerate the applicant of the alleged allegations/charges. Further keeping in view the provisions ad contained in Rule 10 (5) (a) Supra, necessary orders for revocation of suspension by the respondents may also be ordered to be passed.

(c) pass any such other or further order (s)/direction (s) as may be deemed fit and proper in the facts and circumstances of the present case.

(d) award cost of the proceedings.”

2. At the time of hearing, counsel for applicant submitted that the impugned departmental enquiry has been concluded by order dated 30.10.2019 and the applicant has been exonerated. The relevant para of order dated 30.10.2019 is extracted below :

“Keeping in view of above discussion and record available on file, I am of the considered view that charge levelled against Const. Sumit Kumar, No. 3949/DAP could not be substantiated. Therefore, I, Satyavir Katara, Deputy Commissioner of Police, 6th Bn. DAP, Delhi agreeing with the findings of Enquiry Officer, exonerate Const. Sumit Kumar, No. 3949/DAP (PIS No. 28093066) from the charge and file the instant D.E. His suspension period as mentioned above will be decided after the finalization of Crl. Rev. Petition filed by the State, which is pending in Hon’ble High Court of Delhi against the order dated 31.05.17 passed by Shri Ramesh Kumar, ASJ/SFTC-2(Central), Tiz Hazari Courts, Delhi.”

3. In view of above, the OA is disposed of. No order as to costs.

(Mohd. Jamshed)
Member (A)

‘anjali’

(S.N. Terdal)
Member (J)