

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1119/2001

Thursday, this the 4th day of April, 2002
Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri V.K. Majotra, Member (A)

Constable Narender Kumar No.2409/DAP
s/o Shri Rameshwar Jhangra, aged 31 years
Residing at Village & P.O.-Assan
Distt-Rohtak, Haryana. ..Applicant
(By Advocate: Shri Sachin Chauhan)

Versus

1. Union of India
through its Secretary
Ministry of Home Affairs
North Block, New Delhi
2. Joint Commissioner of Police
New Delhi Range
Police Headquarters, I.P.Estate
New Delhi
3. Addl. Dy. Commissioner of Police
North East District, Delhi ..Respondents
(By Advocate: Shri Ram Kavar Dhillon)

O R D E R (ORAL)

Justice Shri Ashok Agarwal:

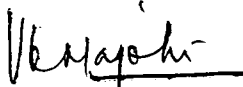
Present case, in our view, is covered by a decision of this Tribunal in the case of Const. Rambir Singh Versus Union of India & Ors. (OA-407/2001) decided on 1.3.2002. Applicant's in the aforesaid OA as also the present OA were proceeded jointly in disciplinary proceedings initiated against them. Against the orders of penalty issued by the disciplinary authority as confirmed by the appellate authority, Const. Rambir Singh had instituted the aforesaid OA-407/2001. By an order passed on 1.3.2002, aforesaid OA has been allowed and impugned orders of penalty issued by the disciplinary authority as also the one passed by the appellate authority have been quashed and set aside. The very same

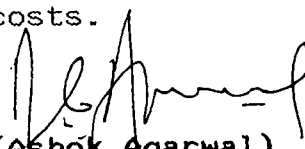
orders are impugned by the applicant herein. We have

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perused the aforesaid order passed in OA-407/2001. We have also perused the file in regard to the present OA and find that the present case is fully covered by the aforesaid judgement in OA-407/2001. Having gone through the aforesaid order, we do not find any reason to differ from the same.

2. In the circumstances, present OA is allowed. Orders impugned herein, namely, the one passed by the disciplinary authority on 27.1.1999 and that of the appellate authority on 24.4.2000 are quashed and set aside. Respondents are directed to restore the applicant herein, forfeiture of service, as if the impugned orders had not been passed. Applicant shall also be entitled to consequential benefits. These directions should be implemented within a period of three months from the date of receipt of a copy of this order. No costs.


(V.K. Majotra)
Member (A)


(Ashok Agarwal)
Chairman

/sunil/