

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI (6)

OA NO. 1569/2001

New Delhi, this the 4th day of December, 2001.

HON'BLE SH. V.K. MAJOTRA, MEMBER (A)  
HON'BLE SH. KULDIP SINGH, MEMBER (J)

Cont. Krishan Kumar  
S/o Devi Singh  
R/o Vill B  
Delhi-40

Presently posted in

IInd Bn. DAP, Delhi ... Applicant.  
(By Advocate : Mrs. P.K. Gupta)

Versus

1. Commissioner of Police,  
Police Head Quarters,  
IP Estate, New Delhi.
2. Dy. Commissioner of Police,  
IInd Bn. DAP, Delhi.
3. Inspector Sh. Attar Singh, (E.O.)  
RI/IInd Bn. DAP, Delhi. ... Respondents.

(By Advocate Sh. Ajesh Luthra)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

The applicant has filed this OA wherein he has assailed an order dated 3.5.2001 issued by the DCP for initiation of an enquiry against the applicant for an alleged torturing of a young boy in the police station. The said Juvenile boy filed a case before the Juvenile Court where the applicant was imposed a penalty and was directed to pay compensation to the Juvenile boy to the tune of Rs.25,000/-. The applicant had deposited the said amount in the Juvenile Court. After the punishment had been inflicted by the Juvenile court, the enquiry was initiated. Earlier the disciplinary proceedings were directed to be kept in abeyance. The counsel for the applicant submitted that after that



(A)

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the applicant had preferred an appeal before the Learned Sessions Judge. In the meanwhile the impugned memo Annexure A-1 initiating enquiry has been issued.

2. Now since the appeal has been decided in favour of the applicant as such he wants to make a representation to the department on the basis of the order passed by the Learned Additional Sessions Judge and he is hopeful that his representation will be considered and the departmental enquiry would be dropped. In view of this statement of the applicant for the time being he does not press his OA and the same is disposed of. However, in case an order adverse to the interest of the applicant is passed on his representation, then he would be at liberty to approach the court afresh. The applicant undertakes to file a representation within 15 days from today. No costs.

*Kuldeep*  
( KULDIP SINGH )

Member (J)

*V.K. Majotra*  
( V.K. MAJOTRA )  
Member (A)