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Central Administrative Tribunal
Principa Bench

O.A. No. 2145 of 2001

New Delhi, this the 2nd April, 2003

HON'BLE MR. JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE MR. V.K. MAJOTRA, MEMBER (A)

Ex. Constable Ashok Kumar No. 1812/A,
Previously working in Delhi Police,
S/o Shri Hari Chand, aged about 39 years,
R/o WZ-221/S-14, Vishnu Garden,
New Delhi- 110018.
Delhi-110 009

(By Advocate: Shri Sachin Chauhan)

...Applicant

Versus

1. Union of India through
Secretary,
Ministry of Home Affairs
North Block, New Delhi.
2. Joint Commissioner of Police,
Operations,
Police Headquarters,
I.P. Estate,
MSO Building,
New Delhi-110 002
3. Deputy Commissioner of Police,
I.G.I. Airport,
New Delhi.

.Respondents.

(By Advocate: Shri Harvir Singh)

ORDER (Oral)

Justice V.S. Aggarwal

The applicant was a Constable in Delhi Police. As a result of departmental enquiry conducted against the applicant, a penalty of removal from service had been imposed by the disciplinary authority. The said order is dated 25.10.99. The applicant preferred an appeal and the Joint Commissioner had dismissed the same by order dated 21.12.99.

2. Learned counsel for the applicant has drawn our

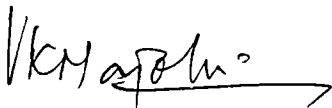
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attention to the order of the appellate authority where while deciding the appeal, the appellate authority had taken into consideration the parawise comments of the disciplinary authority. According to him, he was not aware of the parawise comments which has caused prejudice to the applicant. We confine ourselves with the said plea raised at the Bar. In O.A. No.1095/2001, decided on 11.2.2002, this Tribunal had gone into this controversy and on the similar ground the Tribunal quashed the same.

3. Resultantly, without going into any other question and without expressing our opinion on any other controversies raised before us, we quash the impugned order passed by the appellate authority dated 21.12.99. The appellate authority would be at liberty to pass a fresh order in the light of what has been recorded above. O.A. is disposed of.


(V.K. Majotra)
Member (A)


(V.S. Aggarwal)
Chairman

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