

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.2931/2001

New Delhi, this 23rd day of October, 2002

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri M.P. Singh, Member(A)

H.C. Suresh Chand
Village & PO Khera Kalan
PS Narela, Delhi-36 .. Applicant
(Shri Sachin Chauhan, Advocate - not present)

versus


Union of India, through
1. Commissioner of Police
PHQ, IP Estate, MSO Building
New Delhi
2. Joint Commissioner of Police
Southern Range
IP Estate, New Delhi
3. Deputy Commissioner of Police
South Distt. New Delhi .. Respondents
(Shri Harvir Singh, Advocate)

ORDER

Shri M.P. Singh, Member(A)

A departmental enquiry (DE, for short) was initiated against the applicant vide order dated 29.5.98 on the allegations that in pursuance of PHQ's order, applicant was relieved vide DD No.38 dated 22.3.97 with the directions to report at new place of posting i.e. South District. But the applicant did not report in South District. Despite absentee notices sent to him, applicant resumed his duty only on 7.12.98 vide DD No.43. After conducting DE, the enquiry officer (EO) submitted his findings holding that the applicant was guilty of the charge of unauthorised absence. A copy of the findings of EO was served on the applicant by order dated 30.11.98 to which applicant submitted his representation.

2. The disciplinary authority (DA) after going through the findings of EO, statements of PWS/DWs, documents available on DE file and representation of the applicant and also after hearing the applicant in OR, imposed upon





the applicant a major punishment of forfeiture of two years' approved service with cumulative effect vide order dated 2.7.99. Applicant preferred an appeal against the punishment which was partly accepted by the Joint Commissioner of Police (Southern Range) in consideration of his application for voluntary retirement and reduced the forfeiture of two years of service to one year permanently vide order dated 15.9.2000 and the applicant was informed accordingly vide order dated 25.9.2000. Hence the applicant has filed the present OA seeking to quash the appellate dated 15.9.2000 communicated to him on 25.9.2000.

3. None appeared for the applicant. We have heard the learned counsel for the respondents and perused the records.

4. The grounds taken by the applicant in his OA are that the appellate authority has rejected his appeal without application of mind and the charges against him were not proved. We have gone through the appellate order and we are satisfied that the said order is a detailed and speaking one and does not suffer from any infirmity. In fact he has taken a lenient view by reducing the punishment imposed by the DA. It does not warrant our intervention.

5. In the result, we find that there is no merit in the present OA and the same is accordingly dismissed. No costs.


(M.P. Singh)
Member(A)


(V.S. Aggarwal)
Chairman

/gtv/