

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.829/2001

Monday, this the 9th day of April, 2001

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Inspt. Mannual Massey
(Under suspension)
No.D-I/40
New Delhi Police Lines
Chnakyapuri, New Delhi.

..Applicant

(By Advocate: Dr. S.P. Sharma)

VERSUS

1. Union of India
(Through Secy. Ministry of Home Affairs)
North Block,
New Delhi.

2. The Commissioner of Police
Police Headquarters I.P. Estate
New Delhi.

3. Dy. Commissioner of Police
South - Wesh District,
Vasant Vihar,
New Delhi.

..Respondents

O R D E R (ORAL)

By Hon'ble Shri S.A.T. Rizvi, Member (A):

The applicant Inspector was placed under suspension vide order 4.1.1999 placed at Annexure P-2 which goes to show that he was found involved in two criminal cases. The applicant was placed under suspension in the aforesaid cases from 23.4.1997 and 28.4.1997 respectively. Vide application dated 3.3.2000, the applicant made a request for his reinstatement. The same was disposed of by the respondents' order dated 3.5.2000 (Annexure P-1) in the following terms:-

"The two cases against him are under the stage of framing of charges. Although, he has cited a few cases in which

officers facing criminal proceedings have been re-instated, I would like a review to take place following argument on the charges."

2. It would be seen that the respondent-authority has not refused to consider the application for applicant's reinstatement. He has on the other hand decided to hold on and review the matter after arguments on the criminal charges had concluded. The learned counsel appearing for the applicant has drawn our attention to the orders framing charges passed by the Special Judge concerned. These have been passed on 16.2.2001 and thereafter lately in February, 2001 respectively. If one has regard to what the respondent-authority has stated in the aforesaid order dated 3.5.2000, he should be willing to review the matter now that the charges have been framed in both the criminal cases. The applicant has not approached the respondent-authority in this regard so far and no formal representation has been filed in this connection.

3. After hearing the learned counsel and keeping in view the aforesaid circumstances, we find that the ends of justice would be adequately met in this case by disposing of this OA at this very stage by giving a direction to the respondent-authority to review the matter concerning continued suspension of the applicant in terms of the aforesaid authority's own order of 3.5.2000 and to take a decision as expeditiously as possible and in any event within a period of one month from the date of the service of this order. While reviewing the matter, the respondent-authority will ^{as no doubt} have

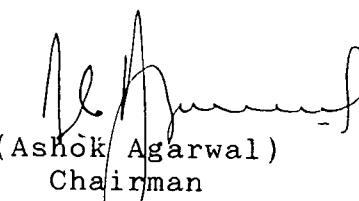
(3)

due regard to the relevant Rules and the Govt. of India's decisions/instructions on the subject of re-instatement of suspended officials.

4. Present OA is disposed of in the aforesated terms. No costs.



(S.A.T. Rizvi)
Member (A)



(Ashok Agarwal)
Chairman

/sunil/