

(05)
Central Administrative Tribunal
Principal Bench: New Delhi

CP No. 426/2002 IN
OA 1494/2001

This the day of 17th January, 2003

Hon'ble Sh. Govindan S.Tampi, Member(A)
Hon'ble Sh.Shanker Raju, Member(J)

Ex. Constable Shiv Raj Singh
S/o Shri Laxman Singh,
No. 4412/DAP, 5th Bn.,
Resident at Hirawanada,
Distt. Muzaffar Nagar (UP).

Present Address:
Sg + R.S.Punwir,
Account Section
28 Wing Air Force Station
Hinwan Gaziabad (UP).Petitioner.
(By Advocate: Shri M.K.Bhardwaj)

Vs.

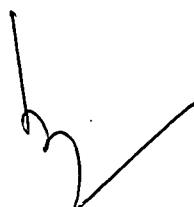
1. Shri Kamal Pande,
Home Secretary
Govt. of India
North Block, New Delhi.
2. Shri R.S.Gupta,
Commissioner of Police,
Police Headquarters,
I.P.Estate, New Delhi.
3. Shri Naresh Kumar
Dy. Commissioner of Police
5th Bn, DAP,
Kingsway Camp,
Delhi.Respondents.
(By Advocate: Shri Ashok Srivastava counsel for
respondents.
Shri R.V.Sinha, counsel for R-1)

ORDER(ORAL)

By Sh.Govindan S.Tampi, Member(A)

Heard the parties.

2. Union of India is proforma party in the OA and they are released from the list of contemnors.
3. Shri M.K.Bhardwaj, learned counsel for the petitioner points out that the respondents have not given effect to the directions of the Tribunal issued on 15.4.2002 while disposing of the OA 1494/2001, wherein



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(2)

specific mention has been made about the harshness of the penalty. In the circumstances of the case, Shri Ashok Srivastava, learned senior counsel appearing on behalf of the respondents indicates that the order of the Commissioner of Police had been based on the understanding of the respondents of the order of the Tribunal. The respondents have utmost respect towards the Tribunal and would not at all act in obedience. However, by the inadvertent omission no, specific mention had not been made in the order by them on the aspect of the harshness of penalty, refers to by the Tribunal. Shri Srivastava points out that revised order would be issued taking care of the same shortcoming as well, which he undertakes to do within ten days from now. In the circumstances, we find that nothing survives to be done in the C.P. and the same is accordingly dismissed. Notices issued to the alleged contemnors are discharged.

S.Raju
(Shanker Raju)
Member(J)

/kd/

(Govindan S.Tampi)
Member(A)