

Central Administrative Tribunal, Principal Bench

Original Application No.2006 of 1999

New Delhi, this the 14th day of March, 2001

Hon'ble Mr. Kuldip Singh, Member (J)
Hon'ble Mr. M. P. Singh, Member (A)

Shri Suresh Yadav, Const. (Driver)
No. 325/C and 3317/IV, Nb, DAP
Delhi

- Applicant

(By Advocate - None)

Versus

1. Dy. Commissioner of Police
IV Bn. D.A.P., Delhi
2. Additional Dy. Commissioner of Police
Central District, Delhi
3. The Commissioner of Police
Police Head Quarter, I.P. Estate
New Delhi

- Respondents

(By Advocate - Shri Rajinder Pandita)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (J)

Applicant was proceeded departmentally on the allegations that while working as Driver in Delhi Police, he met with an accident on 11.7.89 and again on 15.7.89, twice within a span of five days. He had unauthorisedly taken the Govt. vehicle without informing his senior officers and to cover up the same, he made false entries in the daily diary register of Police Station Vinay Nagar of South-West Distt. He also made false entries in the log book. There are discrepancies in meter reading recordings of the vehicle No. DAE-6519. Applicant is also alleged to have resorted to other means to get the vehicle repaired from private sources and attempted to conceal and cover up the major damages that vehicle suffered during the accident. The enquiry was entrusted to

for

Inspector Narinder Pal Singh, SHO I.P.Estate, who after conducting the enquiry, submitted his findings and the disciplinary authority after considering the enquiry report, passed the impugned order whereby the pay of the applicant was reduced by two stages from Rs.990/- to Rs.950/- in the time scale of pay for a period of two years with effect from the date of issue of the order. It was further ordered that applicant will not earn increments of pay during the period of reduction and on expiry of this period, the reduction will not have the effect of postponing his future increment of pay. Applicant preferred an appeal against the orders of the disciplinary authority which was returned vide Annexure 'A' stating that the same was time barred.

2. Applicant has taken various grounds to challenge the impugned order but the respondents who are contesting the OA, have taken the plea that this O.A. is hopelessly time barred and deserves to be rejected on this ground only.


3. It is noticed that the impugned order was passed on 26.5.93 and appeal against that order was returned vide order dated 15.12.94 being filed late. This OA has been filed on 30.8.99. There is no explanation as to why the applicant has not filed the O.A. within the period prescribed under Section 21 of the Administrative Tribunals Act. On the face of it, this OA appears to be hopelessly time barred. There is no application for condonation of delay even.

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4. In the result, this OA stands rejected on the grounds of limitation. No costs.


(M. P. Singh)
Member (A)


(Kuldip Singh)
Member (J)

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