

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.2573/1999

New Delhi this the 3rd day of December, 1999.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SMT. SHANTA SHAstry, MEMBER (A)

Umed Singh (No.10190/DAP)
S/O Dalel Singh,
R/O VIII. & P.O. Kheri Mana Jat,
Sonepat (Haryana), and employed
as Constable in the 9th Bn.,
Delhi Armed Police (DAP),
Pitam Pura Police Lines,
New Delhi.

... Applicant

(By Shri B.B.Raval, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of Home Affairs,
Government of India, North Block,
New Delhi.

2. Commissioner of Police, Delhi,
M.S.O. Building, Police Hqrs.,
New Delhi-110002. ... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

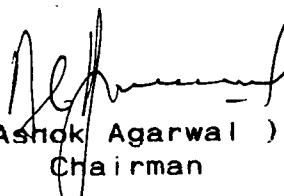
We have perused the copy of the order passed by the disciplinary authority, Deputy Commissioner of Police (FRRO) dated 7th April, 1998; the order of the appellate authority, Additional Commissioner of Police (OPS) dated 27th October, 1998; as also all the material that has been placed on record.

2. We have heard Shri Raval, the learned advocate appearing in support of the application at considerable length and we find that there is no merit in the present application. The order of the disciplinary authority is a well reasoned order. The

(3)

same discusses the evidence which was led in the departmental enquiry. Based on the evidence, a finding of guilt has legitimately been given by the disciplinary authority. The appellate authority has concurred with the said finding. A perusal of the record shows that adequate opportunity has been given to the applicant to show cause against the allegations levelled against him. Both the evidence led by the department as also by the delinquent has been taken into account and a finding of guilt has been arrived at. We do not find that there has been any violation of the principles of natural justice. The penalty imposed also cannot be held to be disproportionate to the finding of guilt which has been arrived at against the applicant.

3. Present application, in the circumstances, we find, is devoid of merit. The same is accordingly rejected.


(Ashok Agarwal)
Chairman


(Shanta Shastry)
Member (A)

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