

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA 2683/1999

New Delhi this the 10th day of January, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman J)  
Hon'ble Shri Govindan S. Tampi, Member (A)

Head Const. Anant Ram Yadav  
S/O Shri Kundan Lal  
Vill. & P.O. Aheer Majra,  
Tehsil Gannaur,  
District Sonapat,

.. Applicant

(By Advocate Shri Ajesh Luthra )

Versus

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

2. The Addl. Commissioner of Police,  
(Armed Police),  
N.P.L. Kingsway Camp,  
Delhi.

3. The Deputy Commissioner of Police,  
VIIth Bn. DAP, Delhi Police,  
Delhi.

.. Respondents

(By Advocate Mrs Avnish Ahlawat, learned  
counsel through proxy counsel Ms.  
Vaishalee Mehra)

O R D E R (ORAL)

Hon'ble Shri Govindan S. Tampi, Member (A)

In this case the challenge is on the penalty imposed in the disciplinary proceedings by the order dated 14.9.1998 whereby penalty of reduction of pay by five stages permanently has been imposed on the applicant, which was upheld by the appellate authority by its order dated 24.12.1998.

2. Heard both the learned counsel for the applicant and the respondents. Shri Ajesh Luthra, the learned counsel for the applicant reiterates his arguments already raised in the pleadings and requests that the penalty imposed on him may be set aside, as not warranted. Ms. Vaishalee Mehra, learned

proxy counsel for the respondents, has produced copy of order dated 19.12.2000 passed in OA 2274/99 in Surinder Vs. UOI through the Secretary M/O Home Affairs and Ors, which is taken on record. She states that the present applicant is co-delinquent with Surinder whose OA 2274/99, was dismissed by a Division Bench, in which one of us was a Member (Sh. Govindan S. Tampi), after considering all the facts and circumstances of the case. The matter being identical, there was no reasons for adopting any different view. Present application also does not call for acceptance, is her plea.

3. We have carefully considered the matter and we find that the facts and issues raised in this OA are identical to those dealt with in OA 2274/99 and dismissed as being devoid of any merit. In fact the applicant in this OA is a co-delinquent with Surinder concerned in OA 2274/99 and concerned in the same proceedings. Obviously therefore, the decisions given in that OA become applicable here also.

4. In view of the above, we find no grounds to interfere with the impugned orders and accordingly dismiss this application. No costs. We also direct that a copy of the Tribunal's order dated 19.12.2000 dismissing OA 2274/99 be placed in this file also for completing the records.

(Govindan S. Tampi )  
Member (A)

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*Lakshmi Swaminathan*  
(Smt. Lakshmi Swaminathan)  
Vice Chairman (J)