O.A.No.1208/98

New Delhi: this the 23rd day of April,1999.

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN(A).

HON'BLE MR.T.N.BHAT,MEMBER(J)

1. ASI Surinder Singh No.772/PCR,
   (under suspension),
   East District, Delhi.

2. H.C.Shiv Kumar No.319/E,
   (under suspension),
   East District, Delhi.   ....Applicants.

(By Advocate: Shri Sama Singh)

                            Versus

1. Commissioner of Police,
   Delhi Police Headquarters, MSO Building,
   I.P.Estate, New Delhi -002.

2. Addl.Commissioner of Police (New Delhi Range),
   Delhi Police Headquarters,
   MSO Building, I.P.Estate,
   New Delhi -002.

3. The Deputy Commissioner of Police,
   East District,
   Delhi.

4. Shri S.K.Malik,
   Asstt. Commissioner of Police,
   DE Cell, Defence Colony,
   New Delhi.   ....Respondents.

                        ORDER(ORAL)

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN(A).

        Applicants impugn respondents' order dated
21.1.97 initiating departmental proceedings against
them during the pendency of criminal Case RC 42(A)/96-
DLI dated 23.5.96, and prays for a direction to
respondents to stay the departmental proceedings
till the disposal of aforesaid case.

2.   We have heard applicants' counsel Shri Sama
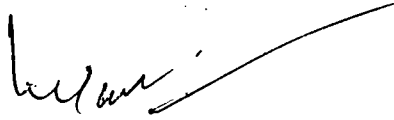Singh who states that I.O and three prosecution

witnesses are to be examined in criminal case on
10th and 11th May,1999 and the applicants' counsel
has no objection if the disciplinary enquiry is
taken up after the completion of the examination
of the I.O and the 3 main PWs.

3. In the light of the above, this OA is
disposed of with a direction to respondents to
proceed with the DE, subject to the completion
of examination and cross-examination of IO and 3
main PWs in the criminal case by 15.5.99.

4. We, however, make it clear that in the
event examination and cross-examination of IO
and 3 main PWs are not completed by 15.5.99, nothing
would preclude respondents from going ahead with
the departmental proceedings.

5. The OA stands disposed of accordingly.
No costs.

(T.N.BHAT)   (S.R.ADIGE)
MEMBER(J)   VICE CHAIRMAN(A).

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