

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

RA 242/98
OA 1450/94

New Delhi this the 8th day of November, 1999

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

Commissioner of Police and
Ors.

..Applicants

(By Advocate Sh. Rajinder Pandita)

Versus

Head Const. Sohan Lal
S/O Sh. Yad Ram
Head Constable under 3rd
Battalion DAP Lines,
Kingsway Camp, Delhi.

.. Respondent

(By Advocate Sh. N.K. Verma
proxy counsel for Sh. P.L. Mimroth)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman(A))

We have heard applicants counsel Sh. Pandita and review respondent on R.A. seeking review of the Tribunal's order dated 9.2.95 in OA 1450/94 Sh. Sohan Lal Vs. Commissioner of Police and others.

2. The main grounds taken in RA is that consequent to the Hon'ble Supreme Court judgement in the case of State of Rajasthan Vs. B.K. Meena and Ors. (JT 1996(8)SC 684), the Tribunal in OA 990/97 (Suresh Kumar Vs. Union of India) vide its order dated 30.3.98 has held that in the absence of a specific rule in the Delhi Police (Punishment and Appeal) Rules, 1980 barring simultaneous criminal and departmental proceedings, there is no authority for the proposition that departmental proceedings have to be kept pending till the disposal of the criminal trial. Other rulings have ^{also} been relied upon in the RA for review of the impugned order.

3. We note that all these rulings have been either handed ^{down} ~~over~~ after the impugned order dated 9.2.95 was passed or were not brought to the notice when the aforesaid order was passed. The R.A. itself is grossly time barred and hit

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by limitation under the relevant provisions of the Administrative Tribunal Act and the reasons for condonation of delay are also not satisfactory.

4. Under the circumstances this RA is rejected.

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member (J)

S.R. Adige

(S.R. Adige)
Vice Chairman (A)