

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 122/1998
in
O.A. NO. 2135/1995

New Delhi this the 18th day of August, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Bakhtawar Singh,
Head Constable,
R/O 21, Police Station,
Civil Lines,
Delhi-110054.

... Applicant

(By Ms. Jasvinder Kaur, Advocate)

-Versus-

1. Shri Vijay Kapoor,
Lt. Governor, Delhi,
Raj Niwas,
Delhi.
2. Shri S. K. Singh,
Addl. Commissioner of Police,
Rashtrapati Bhawan (Sec.),
Rashtrapati Bhawan,
New Delhi.

... Respondents

(By Shri A. K. Bhardwaj for Shri Jog Singh, Advocate)

O R D E R (ORAL)

Shri Justice K. M. Agarwal :

Heard the learned counsel for parties.
Directions in OA No. 2135/1995 dated 11.4.1997 were
to the following effect :

"In view of the findings above viz.,
that the petitioner has not availed the
remedy of filing a revision petition to the
appropriate authority and in view of the
fact that the respondents have not passed
any order under Rule 15 (2), we are of the
view that the petitioner shall file a
revision petition to the appropriate
authority, who shall consider the case, in
view of our findings that no orders under
Rule 15(2) has been passed. They shall also

take into consideration, whether in the absence of the order under the said rule, the entire proceedings should be set aside and de novo inquiry shall be initiated. We are of the view that the orders like the one under Rule 15 (2) goes to the root of the case and it is for the revisional authorities who have to look into such serious error in the first instance and pass appropriate orders. Respondents shall consider the propriety of holding a 'de novo' inquiry at this stage, since the petitioner is likely to be superannuated soon."

2. The counter shows that the directions have been carried out. A copy of order passed on revision petition has also been filed along with the counter. According to us, this substantially complies with the directions of the Tribunal. If the applicant is not satisfied with the revisional order his remedy is to file a fresh petition. Accordingly, this contempt petition is hereby dismissed. Rule nisi if any shall stand discharged. Applicant has liberty to file a fresh petition challenging the revisional order, if so advised.

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(K. M. Agarwal)
Chairman

R. K. Ahuja —
(R. K. Ahuja)
Member (A)

/as/