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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI.

O.A.No.1601/95

New Delhi: this the 3rd day of April, 1997.

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

HON'BLE DR.A.VEDA VALLI, MEMBER(J).

Gurmeet Singh,
G-5, Chanakyapuri Police Station,
New Delhi. applicant.

(By Advocate: Shri Gowardhan).

Versus

National Capital Territory of Delhi,
through Chief Secretary,
Sham Nath Marg,
Delhi.

2. Commissioner of Police,
Police Headquarters,
New Delhi.

3. Addl. Commissioner of Police,
AP & T, Police Headquarters,
New Delhi.

4. Deputy Commissioner of Police,
3rd Battalion,
DAP, Kingsway Camp,
Delhi

.... Respondents.

(BY Advocate: Sh. Rajinder Pandita).

ORDER(O RAL)

BY HON'BLE MR.S.R.ADIGE MEMBER(A).

Heard.

2. Applicant impugns the Disciplinary Authority's order dated 27.7.95, reducing him to the rank of S.I. permanently consequent to a departmental proceeding that was initiated against him.

3. Admittedly, applicant did not file any appeal against the impugned order, although the same is available under Rule 23 Delhi Police (P & A)

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Rules and instead filed the present O.A. on 25.8.95, on which he secured an interim order dated 30.8.95 staying the operation of the impugned order dated 27.7.95.

4. Admittedly that interim order is still in operation as a result of which the applicant continued to function as Inspector of Police till the date of his superannuation 31.12.95.

5. As the applicant has not exhausted the departmental remedy and the provision of appeal against the Disciplinary Authority's order is available under Rule 23¹ Delhi Police (P & A) Rules, this OA is disposed of with a direction to the respondents that in the event the applicant files an appeal within 4 weeks from today, the respondents will after giving the applicant an opportunity of being heard in person, dispose of appeal by a detailed, speaking and reasoned order in accordance with law within two months from the date of receipt of such appeal.

6. For this purpose, the delay in filing the appeal shall stand condoned. In the event any grievance still survives thereafter it will be open to the applicant to agitate the matter afresh through appropriate proceeding in accordance with law. Till disposal of said appeal, the interim order dated 27.7.95 which has been extended from time to time, will continue.

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

A.Kedavalli
(DR.A.VEDAVALLI)
MEMBER(J).

S.R.Adige
(S.R.ADIGE)
MEMBER(A).