

3
Central Administrative Tribunal
Principal Bench: New Delhi

OA No.1925/95
8

New Delhi this the 15th day of May 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

Paramjit Singh H.C.No.152/PCR
S/o Shri Mansha Singh
R/o WZ-364/1 Chand Nagar, Near Tilak Nagar
New Delhi.

...Applicant

(By Advocate: Proxy Ms Sumedha Sharma)

Versus

1. Commissioner of Police Delhi
Delhi Police HQs
M.S.O.Building, I.P.Estate
New Delhi

2. Dy.Commissioner of Police
Police Control Room
Delhi Police HQs
M.S.O.Building, I.P.Estate
New Delhi.

3. Enquiry Officer
Inspector D.E.Cell (Vigilance)
Defence Colony
New Delhi.

...Respondents.

(By Advocate: Sh. Jog Singh)

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

This again is one of the cases in which a constable of the Delhi Police is aggrieved by simultaneous proceedings before the Criminal Court as also in the Departmental Proceedings. It is not disputed that the basic accusation which forms the foundation for the criminal case as also the departmental proceedings is identical and that the common witnesses have to be examined in both these proceedings. Under the circumstances, it will be in the interest of justice if the departmental proceeding is allowed to be proceeded with to the extent of examining the witnesses in support of the charge in chief only, deferring their cross-examination and the defence evidence after the witnesses are fully examined before the Criminal Court.

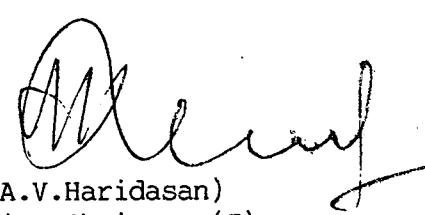
2. The learned counsel on either side agree that the application may be disposed of with the above directions.

3. In the result, as agreed to by the counsel, the application is disposed of with a direction to the respondents that the departmental proceedings against the applicant may be proceeded with ~~only~~ to the extend of examining the witnesses in chief only deferring their cross examination till the evidence is fully taken in the Criminal Court in ~~this~~ case instituted against the applicant on the basis of FIR 121/95.

No order as to costs.

DASTI

R.K. Ahooja
(R.K.Ahooja)
Member (A)


(A.V.Haridasan)
Vice Chairman (J).

aa.