

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA No.2238/95

New Delhi this the 18th Day of September, 1996.

Hon'ble Mr. S.R. Adige, Member (A)  
Hon'ble Dr. A. Vedavalli, Member (J)

Janardhan Tiwari,  
Constable No.380/L,  
Son of Sh. Kanhaiji Tiwari,  
R/o A-480 Nehru Vihar,  
Near Timar Pur,  
Delhi-110054. ....Applicant

(By Advocate Sh. Shankar Raju)

Versus

1. Union of India/  
Lt. Governor of Delhi  
(through Commissioner of Police),  
Police Headquarters,  
M.S.O. Building,  
I.P. Estate,  
New Delhi.
2. Dy. Commissioner of Police  
(Provisioning & Lines),  
Rajpur Road,  
Delhi-110007. ....Respondents

(By Advocate Sh. Surat Singh)

ORDER (Oral)  
(Hon'ble Mr. S.R. Adige)

We have heard Sh. Shankar Raju, learned counsel for the applicant and Sh. Surat Singh, learned counsel for the respondents.

2. Both counsel agree that as the charges in the criminal case bearing F.I.R. No.358/93 dated 6.11.93 under Section 353/186 I.P.C. and those contained in the departmental proceedings are based substantially on the same set of facts, this O.A. may be disposed of with a direction to the respondents that while they may proceed ahead with the examination of the PWs, they should not compel the applicant to cross-examine

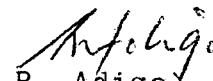
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the PWS or compel him to enter into his defence till the conclusion of the aforesaid criminal case lest it prejudice him in his defence in that criminal case. We direct accordingly.

3. After the conclusion of the aforesaid criminal case it will be open to the respondents to proceed further in the departmental proceedings in accordance with law.

4. This O.A. stands disposed of accordingly.  
No costs.

  
(Dr. A. Vedavalli)  
Member(J)

  
(S.R. Adige)  
Member(A)

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