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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.NO.2262/95

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

New Delhi, this 18th day of April, 1996

Head Constable Kanwar Pal Singh  
No.310 PCR, Delhi Police, Delhi  
C/o Mrs. Usha Kumar, Advocate  
243, Lawyers' Chambers  
Delhi High Court  
NEW DELHI.

... Applicant.

(By Mrs. Avnish Ahlawat through proxy Ms. Manisha)

Versus

Union of India through

1. Govt. of National Capital Territory, Delhi  
through the Commissioner of Police, Delhi  
Police Headquarters  
M.S.O.Building, I.P.Estate  
NEW DELHI - 110 002.

2. Addl. Deputy Commissioner of Police  
Police Control Room  
Police Headquarters  
I.P.Estate  
NEW DELHI - 110 002.

3. Shri Shamsher Singh, ACP  
Enquiry Officer  
Police Station  
Shalimar Bagh  
NEW DELHI.-

... Respondents

(By Shri Surat Singh, Advocate)

O R D E R (Oral)

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

The applicant who is a Head Constable under the  
Delhi Police has in this application prayed that the  
respondents may be directed to keep the departmental  
enquiry against him in abeyance till a decision is taken  
by the Criminal Court, where he is facing prosecution on the

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basis of the same accusation as is contained in the summary of allegations.

2. The respondents have filed a reply opposing the grant of relief. However, when the application came up for hearing on admission, the learned counsel for the respondents gracefully agreed that the application may be disposed of directing that the cross examination of the witnesses in support of the charge may be deferred till the evidence in the criminal case is over.

3. In the light of the above situation, the application is disposed of with the following directions:-

(a) the respondents may proceed to hold the departmental enquiry and examine the witnesses in support of charges only in chief but the cross examination of the witnesses by the applicant shall be deferred till those witnesses are fully examined before the Criminal Court in File No. 525/95 U/S 384/242/34 IPC in Police Station, Karla Market, New Delhi.

(b) The applicant shall not be compelled to enter on his defence till the evidence in the Criminal case is completed.

4. There shall be no order as to costs.

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

*A.V. Haridman*  
(A.V. Haridman)  
Vice-Chairman (J)

Rao