

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

O.A.No.142 of 1996.

Dated New Delhi, this 14th day of May, 1996.

Hon'ble Mr Justice A. P. Ravani, Chairman
Hon'ble Mr K. Muthukumar, Member(A)

Sukh Pal Singh
S/o Shri Kanchhid Singh
R/o 4/18-A (B-93) Old Kanti Nagar
P.S. Krishna Nagar
DELHI - 110 051.
By Advocate: Shri Shankar Raju
versus

... Applicant

1. Union of India/Lt. Governor of
N.C.T. of Delhi
(Through Commissioner of Police)
Police Headquarters
M.S.O. Building
I.P. Estate
NEW DELHI.

2. Additional Commissioner of Police
(Operations), Police Headquarters
I. P. Estate
NEW DELHI.

... Respondents

By Advocate: Shri Amresh Mathur

O R D E R (Oral)

Mr Justice A. P. Ravani

Admit.

The petitioner was serving as Station
House Officer at Police Station Krishna Nagar,
Delhi. He was served with a chargesheet alleging
misconduct in respect of a criminal case to the
effect that he connived with the aggressor party,
and deliberately did not register the case
expeditiously. The case was between a landlord
and a tenant and as per the allegation, the

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petitioner sided with the landlord. A

departmental enquiry was conducted jointly against the petitioner and one ASI Rajinder Singh. At the conclusion of the departmental enquiry ^{it was} held that both the delinquent were guilty of the charges levelled against them and were awarded with the punishment of forfeiture of three years' approved service permanently with cumulative effect. This order was passed on 20.9.1994. The petitioner preferred an appeal to the appellate authority against the aforesaid order which was rejected vide order dated 1.5.1995. The petitioner then preferred a revision against the aforesaid order and the revisional authority also rejected the same. The petitioner has been informed about the decision of the revisional authority vide letter dated 27.12.1995 produced as Annexure-3A to the petition.

The only grievance of the petitioner is that as per the relevant rules, the revisional authority is required to mention reasons while finally passing the order. The petitioner

has ^{not} been served with a copy of the order of revision. ^{He has been communicated the decision taken in revision} When the petition came up for hearing

(b)

earlier on 22.1.96, the learned counsel for the petitioner fairly conceded that the petitioner insists for a reasoned order passed on the revision application and he would not press any other point.

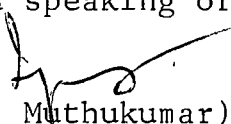
In view of the aforesaid concessions made by the learned counsel for the petitioner, we requested the learned counsel for the respondents to produce a copy of the order passed by the Lt. Governor of Delhi, the revisional authority. He has stated that he is not in a position to produce the same.


In view of the aforesaid position, the following order is required to be passed and the petition is required to be disposed of accordingly.

The order passed by respondent No.1, the revisional authority which had been communicated to the petitioner by letter dated 27.12.1995 is quashed and set aside. The revisional authority is directed to hear and decide the revision application afresh in accordance with law without taking into account the fact that the petition is allowed by this court. In other words, the revisional authority shall decide the case on



merits in accordance with law and pass a reasoned
and speaking order. No costs.


(K. Muthukumar)
Member(A)


(A. P. Ravani)
Chairman

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