

Central Administrative Tribunal
Principal Bench

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O.A. No. 1396/96

New Delhi, this the 12th day of September, 1996

Hon'ble Mr. Justice Chettur Sankaran Nair, Chairman
Hon'ble Mr. R.K. Ahooja, Member (A)

Mahavir Singh Yadav,
(suffering confinement of Life
Imprisonment in District Jail, Gurgaon),
through Jail Superintendent,
District Jail, Gurgaon. ...Applicant
(By Shri G.K. Sēivastava, Advocate)

-versus-

Government of National Capital
Territory of Delhi through
the Chief Secretary,
5, Alipur Road,
New Delhi. ...Respondent

The application having been heard on 12.9.1996
the Tribunal on the same day delivered the following:

O R D E R

Applicant challenges A-3 order imposing
the penalty of dismissal from service.

Applicant was found guilty of the offence
of murder by the court of Session, Gurgaon Division
but acquitted on appeal by the High Court of Punjab
& Haryana. The order of acquittal was challenged
before the Supreme Court, which reversed the same
and convicted the applicant for the charge of
murder agreeing with the findings of the Court of
Session. Thereafter a show cause notice was issued,
the cause shown by applicant was considered, and he was
dismissed from service by A-3 which is under challenge.
We do not think that we are called upon to consider

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the merits of A-3 order as an effective alternate statutory remedy is available to applicant and he has invoked it by A-4. An appeal has been filed before the Lt. Governor, National Capital Territory of Delhi. First respondent Chief Secretary to the N.C.T. of Delhi will cause A-4 appeal to be disposed of by the Lt. Governor, by passing a speaking order thereon within eight weeks from today.

Application is disposed of as aforesaid.

Dated, the 12th day of September, 1996.

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

Chettur Sankaran Nair
(Chettur Sankaran Nair, J.)
Chairman

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