

Central Administrative Tribunal
Principal Bench

OA No. 1657/96

New Delhi, this the 8th day of August, 1996

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

Constable Harsikandar,
bearing batch No. 11820/DAP
residing at D-43, New Police Lines,
Kingsway Camp,
Delhi - 110 009. Applicant
By Advocate: Shri Shekhar & Associates,

- Versus -

1. Commissioner of Police,
Headquarter, I.T.O.,
New Delhi - 110 002.
2. Deputy Commissioner of Police,
10th Bn. DAP,
Delhi. Respondents.
(By None)

ORDER (Oral)

By Hon'ble Mr. Justice A.P. Ravani, Chairman -

The contention of the applicant's counsel
that the charges in disciplinary enquiry in relation
to an incident of March 20, 1996 and the charge in the
criminal case for alleged offence under Section 307
of I.P.C. against the applicant are identical, has
no merit. Reasonable reading of the charge order
(Annexure 'A') dated 17.7.1996 is that the applicant
is charged for the alleged misconduct of remaining
absent from duty from May 1, 1996 to June 4, 1996 and
for concealing the fact regarding his involvement in
a criminal case. To read annexure -'A', in any
manner so as to include the charge as regards the
involvement of the applicant in a criminal case
registered vide FIR No. 140/96 dated 2.5.1996 at
Mukherjee Nagar Police Station for alleged offence
under Section 307 IPC, ~~to say the best~~ seems to be
unreasonable.

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In view of the position explained above, the very basis of the applicant that the departmental enquiry and criminal case are based on identical charges, cannot be accepted. There is no substance in the application. Hence, the O.A. is disposed of

prbs ~~as rejected.~~

R.K. Ahooja —

(R.K. Ahooja)

Member (A)

A.P. Ravani

(A.P. Ravani)

Chairman

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