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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH.
NEW DELHI.

O.A. No. 2101/96

New Delhi this the 18th day of September, 1997.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Shri R.K. Ahooja, Member (A)

Shri Pran Nath
s/o Shri Telu Ram
Ex-Sub Inspector, Delhi Police,
R/O 5, Ashoka Police Lines,
Chanakya Puri, New Delhi.

(By Advocate Shri A.K. Behera) ... Applicant

vs.

Union of India through

1. The Secretary,
Ministry of Home Affairs,
New Delhi-110001
2. Lt. Governor of Delhi,
Raj Niwas, Delhi-6
3. Commissioner of Police,
Delhi Police Headquarters,
I.P. Estate, New Delhi-2

(By Advocate Shri Raj Singh) ... Respondents

O B D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

The applicant is aggrieved by the order passed by the respondent dated 4.9.95 dismissing him from service. This order has been passed after holding disciplinary proceedings under Section 21 of the Delhi Police Act., 1978. The applicant has filed an appeal on 22.5.95 against the dismissal order, under Section 23 of the Delhi Police Act which has been addressed to the Respondent 3 i.e., Commissioner of Police. From the records, it is seen that this appeal is still pending. O.A. has been filed on 27.9.96 i.e. nearly after 1 year and 4 months from the date of appeal filed to the Commissioner of Police.

2. After hearing the learned counsel for both the parties, they agree that this O.A. may be disposed of by giving a direction to Respondent 3 to dispose of the pending appeal as expeditiously as possible. It is

also noted that by the Tribunal's order dated 30.10.1996, the action taken by the respondents to evict the applicant from the police quarter by letter dated 18.9.96 and 19.9.96 has been stayed till further orders. Shri A.K.Behra, learned counsel has submitted that since the appeal is pending, a further direction may be given to the respondents that while disposing of the appeal the grounds taken by the applicant in the OA may also be taken into consideration. If this is allowed, he undertakes to give a copy of the OA and rejoinder to Respondent No.3 for his consideration immediately.

3. In view of the above, this OA is disposed of with the following directions:-

Respondent No.3 is directed to dispose of the appeal filed by the applicant dated 22-5-95 in accordance with law within a period of two months from the date of receipt of a copy of this order. He shall also take into account the grounds taken by the applicant in this application, as part of the appeal. In view of the fact that there has been inordinate delay on the part of the respondents in disposing the appeal, we deem it proper that the interim order dated 3.10.96 shall continue, till the disposal of the appeal by Respondent No.3.

O.A. disposed of as above. No order as to costs.

R.K. Bhogja
(R.K. Bhogja)
Member (A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

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