

Central Administrative Tribunal:Principal Bench

OA No. 537/96

New Delhi, this the 23rd day of July, 1996

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

Inspector Balwan Singh,  
s/o Sh. Puran Singh,  
R/o Flat No. B-23, S.Vijeta Vihar,  
Sector No. 13, Rohini, Delhi. ....Applicant  
(By Shri Shanker Raju, Advocate)

-Versus-

Union of India through

1. Commissioner of Police,  
Police Headquarters, IP Estate,  
MSO Building,  
New Delhi.
2. Senior Addl. Commissioner of Police(AP & T),  
Delhi Police Headquarters,  
MSO Building, IP Estate,  
New Delhi - 2.
3. Shri Karnail Singh,  
Deputy Commissioner of Police,  
(Vigilance Branch),  
Delhi Police Headquarters,  
MSO Building, IP Estate,  
New Delhi-2.  
(By Sh.Vijay Pandita, Advocate) ...Respondents  
...Respondents

ORDER (Oral)

By Hon'ble Shri A.V.Haridasan, Vice-Chairman(J) -  
The prayer in this application is for  
staying the disciplinary proceedings initiated  
against the applicant till the final disposal of  
the criminal case pending before the criminal court  
on the same set of allegations.

2. In the reply statement at page 5, it has  
been stated by the respondents that in accordance  
with the instructions in the matter, the  
disciplinary proceedings will be held only to the  
examination  
stage of prosecution witnesses and the  
disciplinary proceedings shall be kept pending  
till the final disposal of the criminal case and

the defence evidence will be taken only thereafter. In view of this reply, the learned counsel for the applicant states that the applicant would be satisfied if the further proceedings in the departmental enquiry <sup>recording</sup> after reconsidering the statements of the witnesses in support of the summary of allegations is stayed till the disposal of the criminal case. In view of this position, we dispose of this application directing the respondents to stay further proceedings in the departmental enquiry after examination of the witnesses in support of the summary of allegations till the disposal of the criminal case <sup>unstated</sup> on the same allegations. The respondents may decide about proceeding further with the enquiry in accordance with the rules after the criminal case is decided by the court.

There is no order as to costs.

  
(K. Muthukumar)  
Member (A)

  
(A.V. Haridasan)  
Vice-Chairman

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