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CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No.94 of 1996

New Delhi, dated the 25th July, 1996

HON'BLE MR. S.R. ADIGE, MEMBER (A)

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Const. Manish Kumar,
No.785/DAP,
S/o Shri Deep Chand Verma,
R/o Qr. No.2, HC Police,
Parliament Street,
New Delhi.

..... APPLICANT

(By Advocate: Shri Shankar Raju)

VERSUS

1. Union of India
through the Secretary,
Ministry of Home Affairs,
North Block,
New Delhi.

2. Dy. Commissioner of Police,
1st BN., D.A.P.,
New Police Lines,
Kingsway Camp,
Delhi-110009.

..... RESPONDENTS

(By Advocate: Shri Surat Singh)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

We have heard Shri Shankar Raju for the applicant and Shri Surat Singh for the Respondents.

2. Both counsel agree that as the charges in the criinal case bearing FIR 304/95 dated 1.11.95 u/s 325 IPC and those contained in the departmental proceeding are based substnatially on the same set of facts, this O.A. may be

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disposed of with a direction to the Respondents that while they may proceed ahead with the examination of the PWs, they should not compel the applicant to cross-examine the PWs or compel him to enter into his defence till the conclusion of the aforesaid criminal case lest it prejudice him in his defence in that criminal case. We direct accordingly. After the conclusion of the aforesaid criminal case it will be open to the Respondents to proceed further in the departmental proceeding in accordance with law.

3. This O.A. stands disposed of accordingly.
No costs.

A. Vedavalli

(Dr. A. VEDAVALLI)
Member (J)

/GK/

S. R. Adige
(S. R. ADIGE)
Member (A)