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CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 100 of 1996

New Delhi, dated the 25th July, 1996

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

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

1. Head Const. Jai Om,
No.7074/DAP,
S/o late Shri Mukhtiar Singh,
R/o Vill. & P.O. Issapur,
New Delhi-110073 (P.S.Jafarpur).

2. Const. Kiran Pal,
No.7933/DAP,
S/o late Shri Jai Pal,
R/o K-326, Mahipalpuri Extn.,
Gali No.4,
New Delhi-110037.

..... APPLICANTS

(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,
6th Battalion, DAP,
Model Town,
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 criminal case bearing FIR No.502/95 u/s 409/420/468/120-B IPC and those in the departmental proceeding are grounded on substantially the same set of facts, this O.A. 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 in the departmental proceeding, they should not compel the applicants to cross-examine the PWs or compel ~~him~~ to enter into ~~his~~ defence till the criminal case is finally concluded, lest it prejudice the applicants in ~~his~~ defence in that criminal case. 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. We direct accordingly.

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)