

Central Administrative Tribunal  
Principal Bench: New Delhi

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OA No. 1806/97

New Delhi this the 6th day of Aug., 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman (J)  
Hon'ble Shri K. Muthukumar, Member (A)

1. S.I. Harbhajan Singh,  
No. D-1590.
2. H.C. Ramesh Kumar  
No. 584/NW (PIS No. 28810212)
3. H.C. Narinder  
No. 931/NW (PIS No. 28883746)
4. Const. Rajpal,  
No. 1497/D (PIS No. 28890516)
5. Const. Jagdish  
No. 2128/NW (PIS No. 28902763). ... Applicants

(By Advocate: Ms Sumedha Sharma)

-versus-

1. Commissioner of Police,  
Police Head Quarters,  
MSO Building,  
I.P. Estate, I.T.O.  
New Delhi.
2. Deputy Commissioner of Police,  
North-West Distt., Delhi,  
Ashok Vihar,  
New Delhi.
3. Sh. D.S. Sangha (ACP)/Model Town,  
North-West Distt.,  
P.S. Model Town,  
Delhi. ... Respondents

(By Advocate: None)

O R D E R (Oral)  
(Dr. Jose P. Verghese, Vice-Chairman (J))

This OA has been filed with a prayer to stay the disciplinary proceedings initiated against the petitioners on the ground that preliminary criminal proceedings are going on and in the event petitioners are compelled to attend to disciplinary proceedings


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that may have an effect of exposing their defence in the criminal case.

We have perused the record and the allegation in this case is torture in police custody. The only direction this Tribunal can grant at this stage is that the petitioners may exercise their option to appear or not to appear before the disciplinary authorities but we do not intend to stay the action being taken against the petitioners. We would also like to grant liberty to the petitioners to revive these proceedings through a representation after completion of the criminal proceedings. With this grant of liberty to revive, this OA is disposed of as pre-mature.

There shall be no order as to costs.

  
(K. Muthukumar)  
Member (A)

  
(Dr. Jose P. Verghese)  
Vice-Chairman (J)

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