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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.77/97
with
O.A.No.2283/97
O.A.No.1988/99
O.A.No.2800/99
O.A.No.532/2000
O.A.No.537/2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Shri Govindan S. Tampi, Member(A)

New Delhi, this the 10th day of October, 2000

O.A. No. 77 of 1997

Head Constable Rajpal Singh No. 9085/DAP,
S/o Shri Singh Ram,
R/o D-30/815, East Gokul Pur,
Nand Nagari,
Delhi-110094. .. Applicant

(By Advocate: Shri Shankar Raju)

Versus

1. Union of India through
the Secretary,
Ministry of Home Affairs,
North Block,
New Delhi-110001.

2. Commissioner of Police,
Police Headquarters,
M.S.O. Building,
New Delhi.

3. Addl. Commissioner of Police,
New Delhi Range, Police Headquarters,
M.S.O. Building,
New Delhi.

4. Dy. Commissioner of Police,
North East District,
Shahdara,
Delhi. .. Respondents

(By Advocate: Shri Rajinder Pandita)

O.A. No. 2283 of 1997

Head Constable Jagpal Singh No. 197/ND
S/o Shri Roop Chand,
R/o 583/2, Tilak Nagar,
Rohtak, Haryana. .. Applicant

(By Advocate: Shri Shankar Raju)

Versus

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

(37)

2. Commissioner of Police,
Police Headquarters,
I.P. Estate,
M.S.O. Building, New Delhi.

3. Sr. Additional Commissioner of Police,
Armed Police & Training
Police Headquarters,
I.P. Estate,
New Delhi.

4. Dy. Commissioner of Police,
6th Bn., D.A.P.
Model Town, Delhi. .. Respondents

(By Advocate: Shri Devesh Singh)

O.A. No. 1988 of 1999

1. ASI Kulwant Singh,
S/o Shri Sohan Singh,
R/o Qr. No. 4, P.S. Delhi Cantt.,
New Delhi-110010.

2. ASI Asha Ram,
S/o Shri Fakir Chand,
R/o B-5/355,
Yamuna Vihar,
Delhi. .. Applicants

(By Advocate: Shri Ajesh Luthra)

Versus

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

2. The Lt. Governor of Delhi,
Raj Niwas, Raj Niwas Marg,
Delhi-110054.

3. The Commissioner of Police,
Police Headquarters,
M.S.O. Building,
I.P. Estate,
New Delhi.

4. The Addl. Commissioner of Police (Traffic),
Police Headquarters,
M.S.O. Building,
I.P. Estate,
New Delhi. .. Respondents

(By Advocate: Shri Harvir Singh)

O.A. No. 2800 of 1999

Ex.ASI Sukhpal Singh,
No. 3124/D,
Quarter No. E-31 CPWD,
Main Minto Road,
New Delhi-110002. .. Applicant

(By Advocate: Shri Arun Bhardwaj)

Versus

1. Union of India through

(28)

the Commissioner of Police,
I.P. Estate, Police Headquarters,
New Delhi-110002.

2. Jt. Commissioner of Police (Operations),
Police Headquarters,
I.P. Estate,
New Delhi-110002. .. Respondents

(By Advocate: Ms. Sumedha Sharma)

O.A. No. 532 of 2000

Ramesh Chand (7786/DAP),
S/o Shri Kundan Singh,
R/o Vill. & P.O. Rashiwash,
Distt. Bhiwani, Haryana. .. Applicant

(By Advocate: Shri Shyam Babu)

Versus

1. Govt. of NCD, Delhi
through the Chief Secretary,
5, Sham Nath Marg,
Delhi-110054.

2. Jt. Commissioner of Police (Armed Police),
Police Headquarters,
I.P. Estate,
New D elhi-110002. .. Respondents

(By Advocate: Shri Devesh Singh)

O.A. No. 537 of 2000

Dinesh Kumar (7326/DAP),
S/o Om Pal Singh,
R/o Vill. & P.O. Jankhurd,
Dist. Meerut, U.P. .. Applicant

(By Advocate: Shri Shyam Babu)

Versus

1. Govt. of NCT of Delhi,
through the Chief Secretary,
5, Sham Nath Marg,
Delhi.

2. Jt. Commissioner of Police (Armed Police),
Delhi Police, Police Headquarters,
I.P. Estates,
New Delhi. .. Respondents

(By Advocate: Ms. Jasmine Ahmed)

O R D E R (Oral)

By Justice V. Rajagopala Reddy:

Heard the counsel for the applicants and the respondents.

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2. In these OAs the notice issued or the order passed by the authority exercising the power of Review under Rule 25.B of the Delhi Police (Punishment and Appeal) Rules (for short the rules) are under challenge.

3. The Full Bench in Head Constable Rajpal Singh Vs. Union of India & Others (in OA No.77/97) & batch has taken the view that Rule 25.B of the rules is ultra vires and consequently struck it down.

4. As a result, the impugned notice or the orders enhancing the punishment are quashed. The OAs are accordingly allowed.

5. In OA No.2800/99, as the applicant was dismissed from service, the respondents are directed to reinstate him within a period of three months from the date of receipt of a copy of this order, with all consequential benefits as per the rules on the subject. We do not order costs.

(GOVINDAN S. TAMPI)
MEMBER(A)

(V.RAJAGOPALA REDDY)
VICE CHAIRMAN(J)

/RAO/

Original judgement placed in OA 77/97

Attested
[illegible]
7.10.2004
C.O. Cell