

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No.2887 of 1997

Dated this 1st day of December, 1999

HON'BLE MR.JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE MRS. SHANTA SHAstry, MEMBER (A)

Ashok Kumar S/o Shri Hari Singh
R/o House No.822
Village and P.O. Bawana
Delhi-110039

Applicant

(By Advocate: Shri B.B. Rawal)

Versus

1. Delhi Administration
Through the Chief Secretary,
Delhi Administration
Old Secretariat, Delhi.
2. Deputy Commissioner of Police,
Delhi Police
Police Headquarters, near I.T.O.
New Delhi.
3. Shri Ram Krishan
Assistant Sub Inspector
Delhi Police
C/o Respondent No.2. Respondents

(By Advocate: Shri B.S. Gupta through
proxy Shri S.K. Gupta)

ORDER (Oral)

Shri Justice Ashok Agarwal :

The penalty of dismissal from service imposed upon the applicant by the disciplinary authority as affirmed by the appellate authority as also the revisional authority is impugned in the present OA. This Tribunal in an order passed in OA.535/93 on finding that the appellate order earlier passed was not supported by reasons, was pleased to set aside the impugned order and remitted the matter back to the appellate authority with a direction to pass a reasoned order after affording the applicant an opportunity of being heard. The appellate authority thereafter passed its order

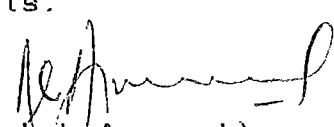
has passed the impugned order

(21)

which is a speaking order. By the order, the ^{has} appellate authority concurred with the findings of the disciplinary authority holding the applicant guilty of the charges of misconduct levelled against him. The appellate authority discussed the ^{evidence on record & has given the} aforesaid findings and dismissed the appeal. The revised application filed by the applicant against the appellate authority's order has also been dismissed. These orders are impugned in the present OA.

2. Shri B.B. Raval, the learned counsel appearing in support of the application has virtually sought to argue the present application as if it were an appeal. He has tried to assail the evidence which has been ^{led} laid in the disciplinary proceedings and has further sought to assail the findings given by the appellate authority. We are afraid we are not a Court of Appeal. It is not the contention of Shri Raval that proper opportunity of hearing was not afforded to the applicant or that principles of natural justice have been violated.

3. In the circumstances, no interference is called for with the orders impugned. Hence the OA is rejected. No costs.


(Ashok Agarwal)
Chairman


(Mrs. Shanta Shastri)
Member (A)