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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

HON. SHRI R.K. AHOOJA, MEMBER(A)

O.A. NO. 349/97

NEW DELHI, THIS 11TH DAY OF APRIL, 1997

SHRI SUBHASH CHAND
S/o Shri Chander Bhan
r/o C-19, Type II
NPL, Kingsway Camp
Delhi-9

..APPLICANTS

(By Advocate - Shri Ashish Kalia)

VERSUS

UNION OF INDIA, through

1. The Commissioner of Police
PHQ, IP Estate
New Delhi
2. Additional Commissioner of Police
AP&T, PHQ, IP Estate
New Delhi
3. Dy. Commissioner of Police
HQ III, PHQ, IP Estate
New Delhi

..RESPONDENTS

(By Advocate - Shri Raj Singh)

ORDER (ORAL)

The applicant had come before this Tribunal against the order dated 2.1.1997 issued by Deputy Commissioner of Police, HQ III, directing him to vacate the quarter allotted to him. The applicant who had been working as Head Constable (Driver) was proceeded against departmentally. The departmental proceedings were concluded and he was awarded a penalty of dismissal from service. Thereafter, he filed a statutory appeal which at the time of filing of this O.A. was still

(4)

pending. The applicant had sought a direction to the respondents to permit him to retain the quarter till the final disposal of his appeal.

2. Today, when the matter came up, 1d. counsel for the applicant stated that the said appeal has since been decided by the respondents. The order of the disciplinary authority has been upheld. In view of this, the application is rendered infructuous. The 1d. counsel however requests that the respondents be directed to allow the applicant to retain the quarter for two weeks more to enable him to file an O.A. against the order of the appellate authority. I find that the order of appellate authority has been passed on 13.2.97 and the applicant had ample opportunity during the intervening period to seek appropriate relief. In view of this, there is no ground for giving any direction to the respondents for not proceeding with the impugned order in the present O.A.

3. In the facts and circumstances of the case, the O.A. is dismissed as infructuous. No costs.


(R.K. AHUAJU)
MEMBER (A)

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