

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

0A-673/97

New Delhi this the 16th day of May, 1997.

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Mr. S.P. Biswas, Member (A)

Shri Ishwar Dass,
S/o Lt. Sh. Prem Chand
R/o P.O. Bharioli (Kutiara),
Tehsil Dehra Distt. Kangra,
(H.P.)-176036.

...Applicant

(By Advocate Shri M.K. Gupta)

-Versus-

1. Commissioner of Police,
Police Headquarters,
I.P. Estate,
New Delhi-110002.
2. Deputy Commissioner of Police,
9th Bn. DAP, Pitam Pura Police Lines.
3. Mr. M.L. Karanwal, IPS
Assistant Commissioner of Police. ...Respondents

(By Advocate Shri Jog Singh)

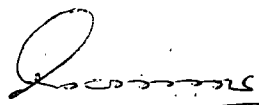
ORDER (ORAL)

(Hon'ble Dr. Jose P. Verghese, Vice-Chairman (J))

This application has come today for final disposal. The applicant in this case was dismissed from service basically for a misconduct of indiscipline. There are various grounds alleged in the application by the applicant challenging the said order. We have perused the record and we think that it is not necessary to go into those grounds in detail. Prima facie, we are of the view that the punishment awarded does not commensurate with the misconduct committed. The learned counsel for the applicant also relied upon a decision of this Tribunal dated 23.09.94 in OA-802/90 in the matter of Dalip Singh vs. Lt. Governor and others, by which this Tribunal has considered the similar circumstances. Aggrieved by the

said order the respondents therein filed an SLP in the Hon'ble Supreme Court and the observations by the Hon'ble Supreme Court is relevant and applicable to this case. In the circumstances the only order we would like to pass in this case is that the respondents shall consider on their own to pass an appropriate order of penalty in view of the orders of the Hon'ble Supreme Court available at page 84 of the paperbook. The said order shall be passed within six weeks from today and shall be communicated to the applicant as well as applicant's counsel forthwith.

With the aforesaid observations, this O.A. is finally disposed of. No costs.



(S.P. Biswas)
Member(A)



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

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