

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. 242 of 1994

New Delhi this the 11th day of May, 1994

Mr. Justice S.K. Dhaon, Vice-Chairman
Mr. B.N. Dhoundiyal, MemberShri Rishi Pal Singh Rana
R/o B-6, Police Station,
Serai Rohilla,
Delhi-110007.

...Applicant

By Advocate Shri G.D. Gupta

Versus

1. Government of National Capital Territory of Delhi through its Chief Secretary,
5, Sham Nath Marg,
Delhi-54.
2. The Commissioner of Police,
Police Headquarters,
M.S.O. Building,
I.P. Estate,
New Delhi-110002.
3. The Additional Commissioner of Police (Admn.),
Police Headquarters,
M.S.O. Building,
I.P. Estate,
New Delhi-110002.
4. The Deputy Commissioner of Police,
Central District,
Delhi.
5. The Assistant Commissioner of Police,
Daryaganj,
New Delhi-110002. ... Respondents

By Advocate Mrs. Meera Chhibber

ORDER (ORAL)

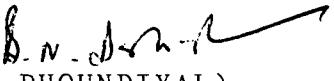
Mr. Justice S.K. Dhaon, Vice-Chairman

The applicant came to this Tribunal with the principal prayer that the departmental proceedings initiated against him may be stayed during the pendency of the criminal prosecution launched against him. An interim order was passed by this Tribunal to the effect that till further orders, if produced, the prosecution witnesses /may not be cross-examined in the departmental enquiry.

2. In the counter-affidavit filed on behalf of the respondents, it is categorically averred that final decision in the departmental enquiry will be taken after the culmination of the criminal case. At another place in

the counter-affidavit, it is asserted that the departmental enquiry has already been held in abeyance after the completion of the prosecution evidence. In view of this admission in the counter-affidavit, no useful purpose will be served by keeping this O.A. alive. If the applicant is convicted in the criminal case, that may be the end of the matter. If, however, he is acquitted, it will be open to the relevant authority to decide as to whether departmental proceedings should continue. We direct that the departmental enquiry shall be kept in abeyance till the culmination of the trial of the applicant in a competent criminal court.

3. With these observations, this O.A. is disposed of finally but without any order as to costs.


(B.N. DHOUNDIYAL)
MEMBER (A)


(S.K. DHAON)
VICE CHAIRMAN

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