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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH NEW DELHI

O.A. No.1213 of 1994

This 12th day of July 1994

Hon'ble Mr. J.P. Sharma Member (J)  
Hon'ble Mr. B.K. Singh Member (A)

Ex-Sub Inspector Nirmal Singh  
Qr No.234 Sector-III  
R.K. Puram  
New Delhi. ....

Applicant

By Advocate: Shri Shankar Raju

VERSUS

1. The Lt. Governor  
National Capital Territory of Delhi  
Raj Niwas Marg  
Delhi - 54.
2. The Commissioner of Police  
Police Headquarters  
MSO Building I.P. Estate  
New Delhi.
3. The Addl. Commissioner of Police  
Southern Range  
Police Headquarters  
MSO Building  
I.P. Estate  
New Delhi. ....

Respondents

By Advocate: None

O R D E R (ORAL)

(Hon'ble Mr. J.P..Sharma M(J)

The applicant is aggrieved by the order dated 1st May 1992 by which he was removed from service under the provision of Article 311 (2)(b) dispensing with holding of inquiry on certain grounds. The applicant has prayed for certain reliefs including for quashing of order dated 1.5.92 mentioned above.


2. It transpired during the course of arguments by the learned counsel for the applicant that an appeal has also been preferred by the applicant against the aforesaid order of removal from service. The applicant has been heard by the Lt. Governor NCT of Delhi but no final decision has yet been communicated to the applicant on the aforesaid appeal. The

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learned counsel for the applicant therefore requested for adjournment of 4 weeks with a direction to the respondents to dispose of the appeal expeditiously. We are however unable to except this contention of the learned counsel on the ground that when the matter is pending for consideration before the Administration itself in that event a judicial review of that order is not practically and legally possible. The learned counsel for the applicant therefore made an alternate request that the applicant be granted liberty to assail any final order passed on the appeal and that order which he has assailed in the OA also (after the disposal of the appeal) if he is still aggrieved.

3. In view of the above facts and circumstances we dispose of this application with the liberty to the applicant to assail the impugned order dated 1.5.92 and any consequent order passed in the appeal if he is aggrieved and so advised according to the law and subject to the law of limitation in the competent forum. We order accordingly.

4. The relevant extra copies of OA/documents filed by the applicant may be returned to the learned counsel for the applicant under the rules.

  
( B.K. Singh )

Member (A)

  
( J.P. Sharma )

Member (J)

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