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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.878/94

New Delhi: this the 27th day of August, 1999.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Shri Pawan Kumar Constable
No. 483/RB (PIS No. 28830127),
S/o Shri Karan Singh,
R/o Village & P.O. Asan,
Distt. Rohtak, posted at B. Coy.,
Rashtrapati Bhawan,
New Delhi Applicant.

(By Advocate: Shri K.L. Budhiraja).

Versus

1. Commissioner of Police,
Delhi,
I.P. Estate,
New Delhi.

2. Govt. of NCT of Delhi,
through Chief Secretary,
Alipur Road,
Delhi.

... Respondents.

(By Advocate : Shri Rajendra Pandita)

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Heard.


2. The applicant in his reply to the show cause notice has categorically stated that he informed the DCP, Rashtrapati Bhawan, New Delhi by telegraphic intimation about his illness, which compelled him to remain absent from duty. There is no discussion in either the impugned order of the Disciplinary Authority or indeed that of the appellate authority on this contention of applicant.

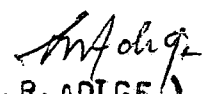
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3. Under the circumstance, the impugned orders of the Disciplinary Authority and the Appellate Authority are quashed and set aside. The case is remanded back to the respondents for passing a detailed, speaking and reasoned order in accordance with rules and instructions afresh after taking into account applicant's submissions as contained in his reply to the show cause notice, supported by such documents as are in his possession. These directions should be implemented within 3 months from the date of receipt of a copy of this order.

4. The OA succeeds and is allowed to the extent contained in para 3 above. No costs.


(KULDIP SINGH)
MEMBER (J).


(S.R. ADIGE)
VICE CHAIRMAN (A).

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