

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.995/94

New Delhi, 18th May, 1994

Hon'ble Shri N.V.Krishnan, Vice Chairman(A)

Hon'ble Smt. Lakshmi Swaminathan, Member(B)

Shri Harsh Verdhhan,
R/o 1403, Sector-A,
Vasant Kunj, New Delhi-110070

.... Applicant

(By Advocate Shri Shanker Raju)

Versus

1. H. Governor National Capital Territory of
Delhi (Through Addl. Commissioner of Police,
Northern Range, P.H.Q. M.S.O. Building,
I.P.Estate, New Delhi-2

.... Respondents

ORDER(ORAL)

(Hon'ble Shri N.V.Krishnan, Vice Chairman(A))

We have heard the learned counsel for the applicant. A. D.E. is being held on two grounds viz. that he registered a false criminal case against some person and that those persons were beaten up in his presence by other police officials (Ann.A.1 and Ann.A.2).

It is stated that the criminal ^{u case} registered against the accused persons is pending and only that case will show whether the case registered is false or not. It is also stated that a private complaint was filed by one of the complainants in which an order has been passed by the Metropolitan Magistrate(Ann.A.8) dated 29.3.94 for issue of notice to the applicant under section 147/149/136/353/332-I.P.C. In this circumstance, it is prayed that the D.E.

3

proceeding initiated against the applicant be kept in abeyance.

2. By the Ann.A.9 letter dated 5.4.94 a representation has been made. In that representation applicant has not made any reference to the proceeding at Ann.A.8 dated 29.3.94 on the private complaint.

3. In so far as Govt.is concerned, the applicant has been informed by the Ann.3 letter dated 2.5.94 that criminal case registered against the accused falsely will be withdrawn from the Court subjected ^{to} its order.

4. In the circumstances, it would appear that in so far as Govt.is concerned they do not intend to proceed with the criminal case, as it is stated to have been registered falsely by the applicant.

5. The applicant ought to have requested the authorities to consider his request for keeping the case pending in the light of the order of the Metropolitan Magistrate (Ann.A.8), this has not been done.

6. In the circumstances this OA is premature.

7. Ld.counsel for the applicant seeks permission to withdraw this O.A. with liberty to approach this Tribunal if so advised, in accordance with law when a grievance arises.

8. Permission is granted on above terms.

Accordingly, OA is dismissed as withdrawn.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member(J)

sk

N. V. Krishnan
(N. V. Krishnan)

Vice Chairman(A)