

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1770/2000
MA NO. 539/2003

This the 18th day of September, 2003

HON'BLE SH. V.K. MAJOTRA, MEMBER (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

Const. Ramesh Pal
(PIS No. 28861583)
R/o C-9, 262,
Yamuna Vihar,
Delhi-110 058.

..Applicant

(By Advocate: Shri Anil Singhal)

Versus

1. Government of NCT of Delhi
through Commissioner of Police,
Police Headquarters,
I.P. Estate,
New Delhi.
2. Joint Commissioner of Police,
New Delhi Range,
I.P. Estate,
New Delhi.
3. DCP
East District,
Delhi.

..Respondents

(By Advocate: Shri George Parackem)

O R D E R (ORAL)

By Sh. V.K. Majotra, Member (A)

OA-1770/2000 was dismissed vide order dated 3.10.2011. The present MA-539/2003 has been made by applicant in OA-1770/2000 seeking review of aforesaid order passed in the OA in view of the order dated 30.7.2002 passed by Full Bench of this Tribunal in OA-2054/2000 Constable Asha Ram vs. Govt. of NCT of Delhi and others. The Full Bench had allowed the OA-2054/2000 and exonerated the applicant therein of all the charges levelled against him after quashing the impugned orders of punishment and directed that he will be extended the same benefits as were extended to Sushil Kumar. It was also directed that suo moto review proceedings be initiated in

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case of Const. Ramesh Pal so that the said delinquent is also offered the same benefit which has been accorded in favour of Const. Sushil Kumar.

2. A copy of judgment dated 30.7.2002 in OA-2054/2000 is annexed as Annexure M-1. The present MA has been moved in the above background. Praying that appropriate orders be passed in view of order dated 30.7.2002 in OA-2054/2000.

3. We have heard the learned counsel of both sides. The contentions raised in the MA have been reiterated by the counsel of the applicant. Learned counsel of the respondents also stated that appropriate orders be passed by the Tribunal. On perusal of order dated 30.7.2002 passed by the Full Bench in the case of Constable Asha Ram are fully applicable to the facts and circumstances of the present case. The decision rendered in the case of Const. Sushil Kumar on 11.10.2001 in OA-2054/2000 has to be followed in terms of the orders of the Full Bench. The order dated 3.10.2001 in OA-1770/2001 are recalled in this context and it is ordered that impugned orders dated 12.11.98 vide which Constable Ramesh Pal had been removed from service as also the appellate order dated 18.11.99 modifying the punishment of removal from service of the applicant to forfeiture of 5 years approved service permanently for a period of 5 years are quashed and set aside. Applicant shall be extended the same benefits which have been extended to Constable Sushil Kumar.

Wh

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4. Present OA is disposed of in the aforesaid terms. Respondents shall pass suitable order in compliance of the above directions within a period of 3 months from the date of receipt of communication of these orders. OA-1770/2000 as well as MA-539/2003 are thus disposed of.

(KULDIP SINGH)
Member (J)

(V. K. MAJOTRA)
Member (A)

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