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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.2025/2000

New Delhi this the 15th day of December, 2000. (3)

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V.K. MAJOTRA, MEMBER (A)

Dr. A.K. Singh,
Presently DCP Supreme Court Security,
Supreme Court of India,
New Delhi.

... Applicant

(By Shri S.K. Sinha with Shri Vikrant Yadav, Adv.)

-versus-

1. Union of India through
Director (CPS),
Ministry of Home Affairs,
North Block, New Delhi.
 2. Deputy Commissioner of Police,
Vigilance, Police Headquarters,
New Delhi.
 3. Union Public Service Commission
through its Chairman,
Dholpur House, Shahjahan Road,
New Delhi,
through Secretary, UPSC.
- ... Respondents
- (None present)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Respondents though served are absent. We have heard Shri S.K. Sinha along with Shri Vikarnt Yadav who has appeared on behalf of the applicant. On 28.9.2000 we had passed the following order :

12/12/00

"By a memorandum dated 27.5.1999 statement of imputations of misconduct was served upon the applicant. He has submitted his representation against the same on 18.6.1999 and 9.5.2000. Applicant has been working as Additional Deputy Commissioner of Police on ad hoc basis since 30.7.1996 as per Annexure P-3. A DPC for regular promotion to the post of Additional Deputy Commissioner of Police has been held in March, 2000. In view of the pendency of the aforesaid disciplinary proceedings, result of applicant has been

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kept in sealed cover and other candidates have been appointed on regular basis to the post of Additional Deputy Commissioner of Police. Applicant, in the circumstances, has instituted the present OA seeking to impugn the aforesaid memorandum containing the statement of imputations of misconduct issued on 27.5.1999.

As far as the challenge to the conduct of the disciplinary proceedings is concerned, prima facie, we are not inclined to interfere at this interlocutory stage. However, we direct notices to issue to respondents to show cause why directions be not issued to proceed with the departmental proceedings expeditiously and to conclude the same within a stipulated period, and why a direction be not issued that pending the disciplinary proceedings applicant should not be reverted.

Pending further orders, respondents are directed not to revert applicant from his present post of Addl. Deputy Commissioner of Police (ad hoc).

Issue Dasti notices returnable on 12.10.2000."

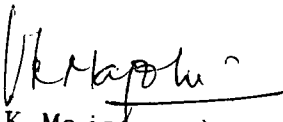
2. As far as the challenge to the conduct of the disciplinary proceedings is concerned, we are not inclined to interfere at this interlocutory stage. It goes without saying that it will be open to the applicant to raise all issues contained in the present OA as also others which may become available to him in the disciplinary proceedings.

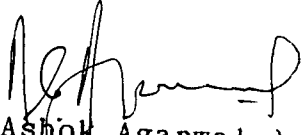
3. In the circumstances, we find that interest of justice would be met by directing the respondents to conduct the disciplinary proceedings and conclude the same within a period of four months from the date of service of this order. Respondents are further restrained from reverting the applicant from his present post of Additional Deputy Commissioner of

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Police (ad hoc) pending conclusion of the disciplinary proceedings. We order accordingly.

4. Present OA is disposed of with aforesaid directions. No costs.


(V.K. Majotra)
Member (A)


(Ashok Agarwal)
Chairman

/as/

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