

(8)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.2250/2000

Hon'ble Shri M.P.Singh, Member(Admn.)
Hon'ble Shri Shanker Raju, Member (Judicial)

New Delhi, this the 20th day of August, 2001

ASI Prakash Chamoli
No.3815/D
IIIrd Bn. DAP
Delhi.

... Applicant

(By Advocate: Shri Arun Bhardwaj)

Vs.

1. Union of India through
Lt. Governor
Govt. of NCT of Delhi
Raj Niwas Marg
Delhi.
2. Joint Commissioner of Police
Delhi Police Headquarter
I.P.Estate
New Delhi.
3. Dy. Commissioner of Police
IIIrd Bn. DAP
Vikaspuri
Delhi.

... Respondents

(By Advocate: Shri Ajesh Luthra)

O R D E R(Oral)

By Shanker Raju, Member (J):

At the outset, without going into the merits of the case, we dispose of the present OA in view of the decision of this Court in OA No.1751/2000 (Sube Singh, ASI Vs. Union of India & Others) wherein it has been held that the Joint Commissioner of Police has held to be incompetent to act an appellate authority in the matters of disciplinary proceedings against the Delhi Police.

2. We find the order passed on 26.7.2000 on appeal is an order passed by the Joint Commissioner of Police which is without jurisdiction, although the learned counsel for the respondents strongly resists

the contention of the applicant but in view of the ratio of Sube Singh's case supra, the present OA is partly allowed. The appellate order dated 26.7.2000 is set aside and the respondents are directed to dispose of the appeal of the applicant by referring in to an appropriate authority within three months from the date of receipt of a copy of this order. No costs.

S. Raju
(SHANKER RAJU)
MEMBER(J)

M.P. Singh
(M.P. SINGH)
MEMBER(A)

/RAO/