

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 2451/2000

(X)

New Delhi this the 15th day of March, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)

Ex. Head Constable (AWO) Mahavir Singh
No. 442/Communication
S/o Shri O.P. Sharma
R/o N-1/3, P.S. Model Town
Delhi.

... Applicant

(By Shri Sachin Chauhan, Advocate)

-versus-

1. Union of India
Through its Secretary
Ministry of Home Affairs
North Block, New Delhi.
2. Addl. Commissioner of Police
P.C.R. & Communications
Police Head Quarters, I.P. Estate
M.S.O. Building, New Delhi.
3. Dy. Commissioner of Police
Communication,
Raj Pur Road, Old Police Lines
Delhi. ... Respondents

(By Shri Ram Kawar, Advocate)

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

In disciplinary proceedings conducted against the applicant, a penalty of dismissal from service has been imposed upon the applicant by the disciplinary authority by his order passed on 17.12.1999 at Annexure A-2. Being aggrieved by the same, applicant had submitted an appeal in January 2000. On 15.11.2000, he has submitted a supplementary appeal containing additional grounds to the appellate authority. No decision thereon has so far been taken. In the circumstances, he has instituted the

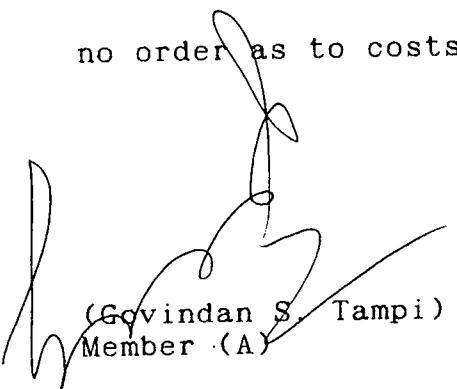
W.B.

present OA seeking to impugn the aforesaid order of
penalty imposed by the disciplinary authority.

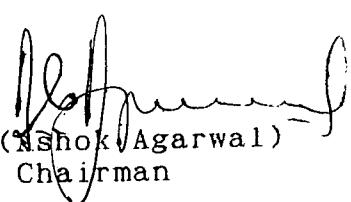
2. Respondents in their counter have pointed out that applicant is not cooperating and has not appeared on the dates fixed for hearing of the appeal and on each date, he has been sending applications seeking adjournments on the ground of illness or other domestic circumstances.

3. Counsel for the applicant on seeking instructions from his client who is present in court makes a statement that any suitable date may be fixed for hearing of the appeal. In the circumstances, we direct the applicant to appear before the appellate authority on 10.4.2001 at 11.30 AM on which date, the appellate authority may either hear the appeal and decide the same or fix another suitable date for hearing. It is clarified that in case the applicant fails to appear on 10.4.2001 as stipulated or on the adjourned date which may be fixed by the appellate authority, it will be open to the appellate authority to dispose of the appeal on merits even in his absence.

4. Present OA is accordingly disposed of with no order as to costs.


(Govindan S. Tampi)
Member (A)

/sns/


(Nishok Agarwal)
Chairman