

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.2639/2000

New Delhi this the 1st day of May, 2001

HON'BLE MR. V.K. MAJOTRA, MEMBER(A)  
HON'BLE MR. SHANKER RAJU, MEMBER (J)

Mr. Anand Kumar  
Constable No. 1614/N  
North Distt. Delhi  
r/o B-563 School Block  
Shakarpur, Delhi-110 092.

-Applicant

(By Advocate: Dr. M.P. Raju)

Versus

1. Union of India  
through its Secretary  
Ministry of Home Affairs  
North Block, New Delhi.
2. The Commissioner of Police  
Police Headquarters  
I.P. Estate  
New Delhi-110 002
3. Jt. Commissioner of Police  
Northern Range  
Police Headquarters  
I.P. Estate  
New Delhi-110 002

-Respondents

(By Advocate: Shri Harvir Singh)

ORDER (Oral)

Mr. Shanker Raju, Member (J)

In this OA the applicant has challenged an order passed by the Appellate Authority suo-moto reviewing an order passed by the Disciplinary Authority and enhancing the punishment of reduction of pay by two stages to removal from service vide order dated 15.2.2000. The applicant preferred an appeal against the enhanced punishment of removal from service and the same is still undecided. The applicant has challenged the enhanced punishment of removal from service and punishment of reduction of pay by two stages. After notice to the respondents, the learned counsel of the respondents drawn our attention to an order dated 21.3.2001 whereby it has

(2)

been transpired that the order passed by the Appellate Authority enhancing the punishment has been withdrawn and the applicant is in pursuance of this order is to be reinstated in service. As the main relief claimed in this OA pertains to quashing of enhanced punishment of removal from service as the Appellate Authority has no jurisdiction to suo-moto review the punishment as held by the Full Bench decision of the Tribunal in Jagpal Singh and Others Vs. Union of India and Ors decided on 14.9.2000, this OA has become infructuous with regard to the main relief of the applicant for his quashing of the removal order and reinstatement in service. Accordingly, order dated 19.3.2001 has been taken on record. We direct the respondents to reinstate the applicant in service from the date he was removed vide an order dated 15.2.2000 and accord him all the consequential benefits in accordance with law and instructions on the subject. However, liberty is accorded to the applicant to assail any further grievance which remains after his reinstatement in service in accordance with law.

2. The OA is disposed of with the above directions.

No costs.

S. Raju

(Shanker Raju)  
Member (J)

cc.

V.K. Majotra

(V.K. Majotra)  
Member (A)