

Central Administrative Tribunal
Principal Bench: New Delhi

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RA-37/2000 in RA-39/2000 in
OA-3267/92 OA-2442/93 OA-3258/92

RA-40/2000 in RA-53/2000 in
OA- 1199/94 OA- 16/1996 RA- 67/2000 in
OA- 1823/94 with
OA- 1779/94

RA-68/2000 in
OA-711/95

New Delhi this the 23rd day of March 2000

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. S.R. Adige, Vice-Chairman (A)
Hon'ble Mr. V.K. Majotra, Member (A)

RA-37/2000 in
OA- 3267/92

Ex. Sub-Inspector Bhola Ram Meena
No. D-2005
S/o Mool Chand Meena
R/o Village-Danar, P.S. Kotputli.
Rajasthan.

..Applicant

(By Advocate: None)

Versus

Commissioner of Police.
Police Headquarters, I.P. Estate.
M.S.O. Building, New Delhi.Respondent

(ASI Tara Chand, Departmental
representative)

RA-38/2000 In
OA- 2442/93

Ex. Constable Nek Pal Singh & others
No. 4635/DAP

..Applicant

(By Advocate: None)

Versus

Addl. Dy. Commissioner of Police.
North East District.
Shahdara, Delhi.

..Respondent

RA-39/20000 in
OA- 3258/93
Ex. Constable Sahib Singh
No. 951/DAP 1st Bn. DAP
S/o Surai Mal.
Vill. Ridhow.
P.O. Farmanoo.
Distt. Sonepat (Haryana)

..Applicant

(By Advocate: None)

N.J.

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Versus

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N.C.T. of Delhi & Others

.. Respondents

RA-40/2000 in
OA-1199/94

Jasbir Singh
S/o Shri Balbir Singh
through Legal Heir
Smt. Anita R/o H.No. 18/4.
E-Kailash Colony,
Sonipat, Haryana.

.. Applicant

(By Advocate: None)

Versus

Addl. Dy. Commissioner of Police.
West District.
Police Station Rajori Garden.
Delhi.

.. Respondent

(HC Umed Singh. Departmental
representative)

RA- 53/2000 In
OA- 16/96

Ex. Head Constable Ram Niwas
No. 8392/DAP

.. Applicant

(By Advocate: None)

Versus

Sr. Addl. Commissioner of Police.
Armed Police and Training.
Police Head Quarters. I.P. Estate.
M.S.O. Building. New Delhi.

.. Respondent

(HC Suresh Chand. Departmental
representative)

RA- 67/2000 In
OA-1823/94. OA-510/97 &
OA- 1779/94

Ramesh Chandra
S/o Sukhvir Singh
R/o Vill: Mitraon
PS Najafgarh Delhi.

.. Applicant

(By Advocate: None)

Versus

1. Union of India through
Chief Secretary.
Delhi Administration.
New Delhi.

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2. Addl. Dy. Commissioner of Police
(AP&T)
Police Headquarters, IP Estate,
New Delhi.

3. Dy. Commissioner of Police, VIIth Bn.
Delhi Armed Police, Delhi. Respondents

(HC Suresh Chand, Departmental
representative)

RA No. 68/2000 In
OA No. 711/95

Ex. Const. Devender Singh
S/o Kartar Singh
R/o Vill. Jharothi.
Post Jharoth.
Distt. Sonepat (Haryana)

.... Applicant

(By Advocate: None)

versus

N.C.T. of Delhi & others

.... Respondents

ORDER (Oral)

By Mr. Ashok Agarwal, Chairman

The present RAs seek to impugn an order passed by the Full Bench in a bunch of OAs decided on 28.7.99. The short grievance of the applicants is that while the Full Bench was deciding the question of law which was referred to it, it has gone onto dispose of the main OAs themselves on merits. Applicants have, therefore, been deprived of agitating several other points which were involved in the OAs.

2. Aforesaid judgment of the Full Bench, we are informed, has been carried to the High Court. At one time, if the High Court is ceased of the matter, the points which are now raised before us cannot be raised. In order to enable the learned advocates to find out whether the Full Bench judgement has in fact

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been carried to the High Court and to further find out that if it has so been carried the stage at which the proceedings are pending. Present RAs by an order passed on 2.3.2000 stood adjourned to today. Parties and advocates are absent. We are, therefore, not informed about the position of the proceedings before the High Court. In the circumstances, we proceed to ~~hear and~~ dispose of the RAs on merits in the absence of the parties and advocates, as provided under Rule-15 of the C.A.T. (Procedure) Rules, 1987.

3. We find that the Full Bench while deciding the question of law which was referred to it for its decision has further gone on to dispose of the OAs themselves. This in our view has deprived the parties to agitate other questions which may arise for determination in the OAs. In the circumstances, we ~~may~~ recall the order of the Full Bench in so far as it disposed of the OAs. The order in so far as it decides the question of law is, ~~The same is accordingly maintained.~~ however, not disturbed. Present OAs are accordingly referred back to the concerned D.B. for being disposed of on merits in accordance with law. Present RAs are allowed in the aforesaid terms. No costs.

(V.K. Majotra) (S.R. Adige) (Ashok Agarwal)
Member (A) Vice-Chairman (J) Chairman

cc.

Atlesh
Agarwal
cc-ct