

R.A. 72/94

in

O.A. 2242/93

M.A. 559/94

(9)

New Delhi this the 26th day of July, 1994.

Shri N.V. Krishnan, Vice Chairman(A).

Shri B.S. Hegde, Member(J).

Jarnail Singh,  
Constable,  
Qr.No.G/47, Type-I,  
Police Colony, Model Town,  
Delhi-9.

...Applicant.

By Advocate Shri K.C. Mittal.

Versus

The Commissioner of Police,  
Police Headquarters,  
IP Estate,  
New Delhi.

...Respondent.

ORDER

Shri N.V. Krishnan.

The applicant seeks a review of our order dated 3.11.1993. M.A. 559/94 has also been filed for condonation of delay.

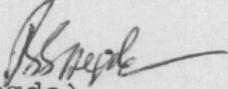
2. We have perused the review application. We are satisfied that it can be disposed of by circulation and we proceed to do so. MA 559/94 has been considered by us. In the view that we are taking the delay is condoned.

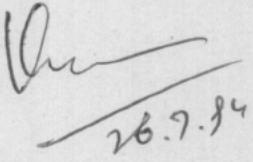
3. The O.A. contained two prayers. The first related to the illegality of the enquiry proceedings and consequential illegality of the subsequent orders of the disciplinary and the appellate authority. The second prayer related to fixation of pay. The O.A. was dismissed after hearing the applicant's counsel without obtaining a reply from the respondents.

4. The main ground raised is that we have finally disposed of the O.A. itself without asking for a reply from the respondents and without enquiring into the disputes raised.

5. We do not think that this amounts to an error apparent on the face of record. Our reasons for disposing of the O.A. in the manner we did are contained in the elaborate order we have passed. We found no merit in the first prayer made. As far as the second prayer was concerned, we found that the application was premature as a representation had not been made.

6. The grounds furnished do not make out that there is any error apparent on record. Therefore, the review application is dismissed.

  
(B.S. Hegde)  
Member(A)

  
(N.V. Krishnan)  
Vice Chairman(A)