

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
DELHI.

O.A. No.23/1989.

Date of decision: November 28, 1989.

Shri Bhopal Singh Vs. Commissioner of Police & Anr.

Applicant through counsel Shri B.S. Charya.  
On behalf of the respondents Shri Balwant Singh,  
S.I. (Pairvi Officer) is present.

This case has been listed for admission.

We have heard Shri B.S. Charya at some length. One of the points urged by him was that the orders passed by the Disciplinary Authority and Appellate Authority are perverse.

An examination of the Application does not show that any such <sup>is</sup> ground/taken by the applicant. The word 'perversity' has not been mentioned anywhere in the Application.

Another point urged was that adequate opportunity had not been given to the applicant to meet the charges.

The Appellate Authority in its order says:

"The appellant never produced the doctor in his defence. He gave in writing on 23.3.83 to the Enquiry Officer that he has no defence witnesses..."

This shows that the applicant was afforded opportunity. He then urged that proper inference has not been drawn from the material on the record.

We have considered the matter and find that the contention raised by the learned counsel for the applicant pertain to the merits of the evidence on record. We are not sitting in appeal or reappraise the evidence. It appears to us that there was no violation of the principles of Article 14 of the Constitution in this case. Consequently, we are unable to interfere with the impugned order and this O.A. merits to be rejected at the admission stage. We order accordingly.

Banerji  
(B.C. Mathur)  
Vice-Chairman (A)  
28.11.1989.

AB  
(Amitav Banerji)  
Chairman  
28.11.1989.