

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL NEW DELHI

O.A. No. 1850/88
T.A. No.

199

DATE OF DECISION 9-8-91

Shri S.P. Singh

Petitioner

Applicant.

Shri MD. BATRA

Advocate for the Petitioner(s)

Applicant

Versus

Union of India & Ors.

Respondent

Shri P.P. Khurana

Advocate for the Respondent(s)

GORAM

The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr. B.N. DHGUNDIYAL, MEMBER(A)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

JUDGEMENT (Oral)

(JUDGEMENT OF THE BENCH DELIVERED BY HON'BLE
MR. P.K. KARTHA, VICE CHAIRMAN(J)).

We have heard the learned counsel of both the parties on OA-1850/88 and MP-957/91. In the main application, the applicant has prayed for quashing the impugned departmental proceedings initiated against him, with liberty to the respondents to consider such action as deemed necessary having regard to the decision of the court in the criminal proceedings.

2. The learned counsel of the applicant states that the criminal proceedings have ended in the acquittal of the applicant.

3. The prayer contained in MP-957/91 filed by the respondents is that the order passed by the Tribunal on 27-9-88, staying the departmental proceedings be vacated on the ground that the Judgement in the criminal case has

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been delivered on 11.1.91.

4. The learned counsel of the applicant prays that he is no longer interested to pursue the present application as he has been acquitted by the criminal court. He, therefore, craves leave to withdraw the present application with liberty to approach the Tribunal again if necessary in accordance with law.

5. OA 1850/88 as well as MP-957/91 are disposed of accordingly. The applicant is allowed to withdraw OA-1850/88 with liberty to the respondents to consider such action as deemed necessary having regard to the decision of the criminal court dated 11.1.91. The applicant will also be at liberty to move the Tribunal, afresh, if necessary, in accordance with law.

Let a copy of this order be given to both parties immediately.

B. N. Dhoundiyal
(B.N. DHOUNDIYAL) 9/4/91
Member(A)

P. K. Kartha
(P.K. KARTHA)
Vice-Chairman(J)