

In the Central Administrative Tribunal

Principal Bench: New Delhi

OA No.68/87

Date of decision: 27.07.1992

Constable Khilari Singh

...Applicant

Versus

Commissioner of Police, Delhi

...Respondent

Coram:-

The Hon'ble Mr. Justice V.S. Malimath, Chairman

The Hon'ble Mr. I.K. Rasgotra, Administrative Member

For the Applicant

: None

For the Respondent

: Mrs. Avnish Ahlawat, Counsel.

Judgement (Oral)


(delivered by Hon'ble Mr. Justice V.S. Malimath, Chairman)

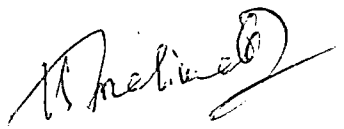
None appeared for the applicant. Mrs. Avnish Ahlawat, Counsel appeared for the respondent. As this is a very old case we consider it appropriate to dispose of the case on merits.

2. The applicant was subjected to a disciplinary inquiry which resulted in the charge being held proved and the imposition of penalty of forfeiture of three years' approved service. That order was affirmed on appeal and further on revision was confirmed. Hence this petition. On perusal of the petition and the grounds raised in support of this Application we find that the grievance of the applicant is in regard to the appreciation of the evidence produced in the case. The applicant cannot call upon the Tribunal to function as an appellate authority to reassess the evidence and to substitute its own findings. The findings recorded are based on evidence and it is impossible to draw the inference that

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they are manifestly unreasonable as to justify the inference that they are perverse. We, therefore, see no good reason to interfere in this case. The Application is, accordingly dismissed. No costs.


(I.K. Rasgotra)
Member(A)


(V.S. Malimath)
Chairman

skk

July 27, 1992.