

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

O.A. No.  
T.A.-No.

743 / 1987

DATE OF DECISION May 25, 1987.

Shri Hari Singh

Petitioner

Shri A. S. Grewal

Advocate for the Petitioner(s)

Versus

Union of India & Others

Respondent

None

Advocate for the Respondent(s)

**CORAM :**

The Hon'ble Mr. Kaushal Kumar, Member (A).

*R*

The Hon'ble Mr. G. Sreedharan Nair, Member (J).

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

*C. Sreedharan Nair*  
(G. SREEDHARAN NAIR)  
MEMBER (J)  
25.5.1987.

*K. Kaushal Kumar*  
(KAUSHAL KUMAR)  
MEMBER (A)  
25.5.87.

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, DELHI.

Regn. No. OA 743/1987. DATE OF DECISION: May 25, 1987.

Shri Hari Singh .... Applicant.

V/s.

Union of India & others ... Respondents.

CORAM: Hon'ble Mr. Kaushal Kumar, Member (A).  
Hon'ble Mr. G. Sreedharan Nair, Member (J).

For the applicant .... Shri A. S. Grewal, Counsel.

For the respondents .... None.

(Judgment of the Bench delivered by  
Hon'ble Mr. Kaushal Kumar, Member)

JUDGMENT

This is an application for quashing the order dated 2.4.1986 passed by the Deputy Commissioner of Police, Central District, Delhi, ordering initiation of disciplinary proceedings against the applicant under Section 21 of the Delhi Police Act, 1978 for wilfully and unauthorisedly absenting himself without permission and for quashing the order dated 4.3.1987 passed by the same authority ordering that the Enquiry Officer may conduct the departmental enquiry ex-parte against the applicant.

2. We feel that the application is premature at this stage. Since the departmental enquiry has yet to be completed, it is open to the applicant to raise the pleas during the course of the departmental enquiry and also to plead for revocation of the order for proceeding ex-parte against him. With these observations we dismiss this application. However, this will not preclude the applicant from challenging the penalty, if any, imposed ultimately after completion of the departmental enquiry and after he exhausts all the remedies available to him in the Service Rules.

*25.5.87*  
(G. SREEDHARAN NAIR)  
MEMBER (J)  
25.5.1987.

*25.5.87*  
(KAUSHAL KUMAR)  
MEMBER (A)  
25.5.1987.