

OA 1067/87

20.05.1992

Shri Som Nath

...Applicant

vs.

Union of India & Ors.

...Respondents

CORAM

Hon'ble Shri J.P. Sharma, Member (J)

For the Applicant

...None

For the Respondents

...Ms. Mukta, proxy counsel
for Ms. Avnish Ahlawat

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the reporter or not?

JUDGEMENT (ORAL)

The applicant, ASI of Police at the relevant time was posted at Police Post, Welcome Seelampur under P.S. Shahdara. He has assailed in this application under Section 19, the ACR for the period from 1.4.1983 to 31.3.1984. He has prayed that the adverse remarks for the said period be expunged and the order rejecting his representation by the order dt.17.2.1987 be set aside. He has also prayed for quashing of the order dt.30.1.1985.

2. None is present on behalf of the applicant. Ms. Mukta, learned proxy counsel for Ms. Avnish Ahlawat is present on behalf of the respondents.

3. I have heard the arguments advanced by the learned proxy counsel for the respondents and perused the record. The short question involved in this case is whether the adverse report of the applicant is baseless and not based on any evidence. From Annexure 'D' filed by the applicant himself on summary of allegations, it is clear that the applicant was found in the compa

of two other persons sitting in the tent of Police Post Welcome, Seelampur, P.S. Shahdara at about 10.30 p.m. by Shri Sewa Lal, DCP/E on 25/26th April, 1983. The said DCP observed that there was beer in bottle with four glasses and there was preparation for taking food. Thus the observation made by the reporting officer in the ACR cannot be said to be without any substance.

4. Taking all these facts into account, I find that there is no merit in the application and the same is, therefore, dismissed being devoid of merit, though ex-parte.

J. P. Sharma
20.5.92
(J.P. SHARMA)
MEMBER (J)

AKS