

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

CCP No. 10/90 in

O.A. No. 2024/89

198

T.A. No.

DATE OF DECISION 26 February, 1990.

Ram Chander

Petitioner

Mr. A.S. Grewal

Advocate for the Petitioner(s)

Versus

L.G. & Ors.

Respondent

Advocate for the Respondent(s)

CORAM :

~~The Hon'ble Mr.~~

Hon'ble Mr. T.S. Oberoi, Member (J)

~~The Hon'ble Mr.~~

Hon'ble Mr. P. C. Jain, 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

26/2/90

JUDGMENT

(delivered by Hon'ble Mr. T.S. Oberoi, Member).

This CCP has been moved by the petitioner, Shri Ram Chander, serving as a Head Constable in the Delhi Police, against respondent NO. 3, Principal, Police Training School, Jharoda Kalan, besides respondents NO. 1 and 2, who were also respondents in O.A. No. 2024/89, for violating this Tribunal's order dated 29th November, 1989, allowing the petitioner to be admitted for training in the lower school course, applied for, by him. 2

2. The grievance of the petitioner in this petition is that in spite of clear directions of this Tribunal allowing him to be admitted for training in the aforesaid course in the Police Training School, Jharoda Kalan, and the concerned officer of respondent No. 2, having relieved him, for the said purpose, as per their order dated 11.12.1989 (Annexure 'A' to the CCP), respondent No. 3 and officers subordinate to him, had not admitted him for training in the said course, with the result that this Tribunal's order dated 29th November, 1989, remained uncomplied with. He, therefore, prayed that the respondents be proceeded with suitably, for violating the orders of this Tribunal, as referred to above.

3. We have carefully considered the contents of the CCP and also the plea put forth by the learned counsel for the petitioner, during arguments. We have also perused our order dated 29th November, 1989, as also the order at Annexure 'A' to the CCP, passed on behalf of respondent No. 2. It is noticed that in compliance with this Tribunal's order dated 29.11.1989, the petitioner was duly relieved for joining the training

See

...contd....

in the said course at P.T.S. Jharoda Kalan. According to him, he had not been allowed admission in the said training, but has produced no order in support of his contention, which might have been passed by respondent No. 3, or any officer subordinate to him. He has only produced in support of his contention two Daily Diary entries to the effect of his handing over charge at the place of his posting and reporting back, after allegedly having not been admitted in the training/^{course} in question. Even otherwise, it is noticed that the petitioner was duly relieved by respondents 1 and 2, who were the respondents in the O.A., and respondent No. 3 in the C.C.F., was not a respondent in the O.A. Thus, in these circumstances, we are of the view that so far^{as} respondents 1 and 2 are concerned, they have not, in any manner, violated this Tribunal's order, whereas respondent No. 3 in the CCP, being not the respondent in the main O.A., cannot legally be questioned for non-compliance of this Tribunal's order. It may, at best, be a matter to be taken up by respondent 2 with respondent No. 3 in the CCP, for being looked into as to under what circumstances, the petitioner was not admitted in the course in question, in spite of his having been relieved for the purpose.

4. As a result of the foregoing discussion, we do not find any occasion to proceed against any of the respondents in the present CCP and the same is, therefore, dismissed.

(P.C. Jain)
Member (A)

(T.S. Oberoi)
Member (J)
26/2/90