

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.No.1341/90 & 1341A/90

New Delhi, this the 9th August, 1994.

HON'BLE MR.JUSTICE D.L.MEHTA VICE CHAIRMAN (J)

HON'BLE MR.B.K.SINGH MEMBER(A)

Shri Jagdish Singh
s/o Shri Shiv Lal,
r/o 56, Village Sahipur
P.O.Panchvati, Ashokvihar,
Delhi.

2. Shri Murari Lal son of
Shri Dharam Singh, r/o
V&PO Rathdhana Distt.Sonepat. ..Applicants
(By Shri Shankar Raju, Advocate)

Vs.

1. Lt.Governor of Delhi,
Rajniwas Marg, Delhi.

2. The Secretary (Transport)
Dte. of Transport,
Delhi Adm., 5 Alipur Road,
Delhi.

3. Director of Transport,
5, Under Hill Road, Delhi. ..Respondents
(By Shri MM Sudan, Advocate)

ORDER (ORAL)


HON'BLE MR.JUSTICE D.L.MEHTA VICE CHAIRMAN (J)

Heard ld. counsel for the applicant.

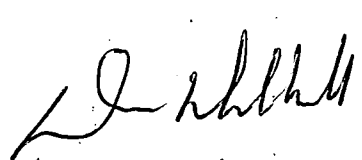
The applicant has challenged the order dated
29-1-79 (An.A4) of the Director of Transport,
Delhi compulsory retiring him by way of punishment.
He has further prayed that the order An.A9 issued
by the appellate authority dated 29-12-89 may
also be set aside. He has further prayed that the
order passed by the Reviewing Authority (An.A11)
dated 4-6-90 may be set aside.

2. Brief facts of the case are that there was
a complaint that the constables of Delhi Transport
Authority are taking bribe from the truck-drivers.
Raid was arranged and the raiding party found
on 21-11-73 that the applicants were collecting
money from the truck-drivers/transporters.

statement of these applicants was tape recorded and they had accepted that they were taking bribe for distributing the same in proportion to the higher authorities. An inquiry was conducted and the inquiry report was submitted in which it was found that both the applicants are guilty of taking the bribe. On receipt of the inquiry report, the Disciplinary Authority (D.A) after perusing the record and taking into consideration the tape recorded statement of the applicants, the raid report and other relevant documents, passed the orders of compulsory retirement of these officers. The appeal was also heard and personal hearing was also given to the applicants. Appeal was dismissed. Review petition was also filed which was also dismissed. There is sufficient material on record to prove the guilt of the applicants and there is no error of law ^{or} procedure which will render the prosecution as illegal. We are of the opinion that we cannot dispute the opinion of the DTA. or the appellate authority when there is a concurrent facts and finding of the facts. In the circumstances, the D.A. is rejected. No costs.


(B.K.SINGH)
Member (A)

'M'


(D.L.MEHTA)
Vice Chairman (J)