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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.No.2293 /90

New Delhi, this the 4th day of January, 1994.

Hon'ble Mr Justice S.K.Dhaon, Vice Chairman.

Hon'ble Mr B.N.Dhoundiyal, Member(A)

Satya Narain Constable No.4500/DAP
son of Shri Fateh Singh o/o Smt.Nirmala Devi,
Community Health Centre, Kalanaur, Village and
P.O.Kalanaur, District Rohtak, Haryana.

Applicant.
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(none appeared for the applicant)

vs.

1. Commissioner of Police Delhi,
Delhi Police Headquarters, M.S.O.Bldg.,
I.P.Estate, New Delhi.
2. Additional Commissioner of Police(Armed Police
Delhi Police Headquarters, M.S.O.Building,
I.P.Estate, New Delhi.
3. Deputy Commissioner of Police/5th Bn.D.A.P.
Kingsway Cam, Delhi. Respondents.

(by Mr Gajraj Singh, Advocate).

O R D E R (ORAL)

S.K.DHAON, VICE CHAIRMAN

The petitioner, an Ex-Constable in the Delhi Police was subjected to disciplinary proceedings. While accepting the recommendations of the Inquiry Officer, the disciplinary authority on 17.11.1987 passed an order of punishment, dismissing the petitioner from service. On 25.3.1988, the Additional Commissioner of Police, acting as the appellate authority, modified the order of the disciplinary authority and converted the punishment of dismissal from service to that of permanent forfeiture of five years approved service with all consequences. The period from dismissal to the date of re-instatement was not to be treated as spent on duty. On 3.8.1988, the Commissioner of Police

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rejected the revision application preferred by the petitioner. The three orders are being impugned in the present application.

2. The charge against the petitioner was that in order to explain his absence from duty, he submitted a forged discharge certificate from the Military Hospital. The Inquiry Officer recorded the finding that during the course of the inquiry, the petitioner stole the relevant papers relating to the inquiry. The Inquiry Officer recorded the opinion that the charges have been brought home to the petitioner. The disciplinary authority passed a detailed order and recorded the finding that the charge stood proved beyond any doubt. As already stated, the appellate authority, while maintaining the order of punishment, modified the punishment to be awarded to the petitioner. The revisional authority too gave reasons for rejecting the revision application of the petitioner.

3. We have gone through the relevant papers carefully and find no infirmity in either of the three orders.

4. The O.A. is accompanied by an application, seeking condonation of delay. We have perused the contents of paragraph 2 of the application and we are satisfied that a case has been made out for condoning the delay.

5. On merits, the O.A. fails and is dismissed.

6. The case has been called out in the revised list. No one has appeared on behalf of the petitioner.

B.N. Dhoundiyal
(B.N. DHOUNDIYAL) *2/1/73*
MEMBER (A)

S.K. Dharon
(S.K. DHAON)
VICE CHAIRMAN

/sds/