

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

17

D.A. 2601/91

MA's 2261 & 2263/95

Date of decision 22.5.96

Hon'ble Shri S.R. Adige, Member (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Gurmail Singh through LR's.

(i) Paramjit Singh Gill

(ii) Baldev Singh Gill

r/o BE-287, Hari Nagar, New Delhi-64

... Applicants
(By Advocate Ms Sumedha Sharma through
~~Ms~~ counsel Shri A.S. Grewal)

Vs.

1. Commissioner of Police, Delhi
Delhi Police Headquarters,
MSO Building, I.P. Estate, New Delhi.
2. Additional Commissioner of Police
(Southern Range) Police Headquarters,
M.S.O. Building, I.P. Estate, New Delhi.
3. Deputy Commissioner of Police, West District
Police Station, Rajouri Garden, New Delhi.

... Respondents.

(By Advocate Shri Raj Singh)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Member (A))

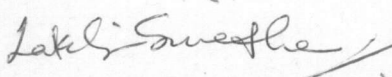
In this O.A., the applicant Shri Gurmail Singh has impugned the order dated 19.3.87 instituted departmental enquiry against him; disciplinary Authority order dated 12.9.90 dismissing him from service, and the Appellate Authority order dated 29.11.90 rejecting his appeal.

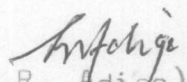
2. Respondents counsel, Shri Raj Singh informed us that the applicant expired on 9.12.1993, and the applicant's mother, who was his immediate legal heir had not made any efforts to get her name for substitution under Rule 18 of the CAT(Procedure) Rules, 1987 within a period of 90 days. She is ^{also} stated to have unfortunately expired on 26.6.1995. Thereafter

the deceased applicant's two brothers filed MA 2261/95 on 6-9-95 praying that they may be allowed to be substituted as legal heirs, of the deceased applicant.

3. Respondents counsel, Shri Raj Singh states that these two brothers are not Class one legal heirs of the deceased applicant, as his wife Smt. Taranjit Kaur is still alive, and they cannot be substituted as legal heirs in this case. Furthermore we note that this MA for substitution has been filed at a very belated stage, that is over 1½ years after the applicants death. Moreover Ms Sharma states that she has not received any instructions from her client to pursue this O.A.

4. Under the circumstances, this OA is dismissed.
No costs.


(Smt. Lakshmi Swaminathan)
Member (J)


(S.R. Adige)
Member (A)