

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.

(5)

Date of Decision: 10.04.92

DA 2673/91

DULI CHAND GULIA ... APPLICANT.

Versus

THE COMMISSIONER OF POLICE,
POLICE HEADQUARTERS,
NEW DELHI & OTHERS

... RESPONDENTS.

CORAM:

THE HON'BLE SHRI J.P. SHARMA, MEMBER (J).

For the Applicant ... Self.

For the Respondents ... Shri T.S. Kapoor, Counsel.

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

JUDGEMENT

(DELIVERED BY HON'BLE SHRI J.P. SHARMA, MEMBER (J).)

Shri Duli Chand Gulia, Ex ACP, since retired on 31.3.1988 assailed the order dated 5.11.1984 by which the applicant was placed under suspension.

2. The applicant claimed the relief that all pecuniary benefits of service w.e.f. 5.11.1984 as well as the

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pensionary benefits be allowed to the applicant.

3. The facts of the case are that the applicant was posted on duty on the night of 30/31.10.1984 at the Prime Minister's house. Sub Inspector Beyant Singh, during his supervision, changed his duty and the applicant did not check the staff by taking the necessary rounds to ensure that those detailed on duty were present on their particular points. He was dealt with departmentally and disciplinary enquiry has been conducted and completed by Shri K.S. Mehra, Registrar of Co-operative Societies. The case of the applicant is that the said enquiry has since been closed down on 2.5.1989 but the result was not made known to the applicant. However, the other officers and officials were also proceeded against in the departmental enquiry but all of them have since been re-instated and the suspension orders against them have been revoked. Since the applicant has superannuated on 31.3.1988, so he is in dis-advantageous position and he has not been paid full salary for the period under suspension nor he has been given the pensionary benefits.

4. The respondents contested this application. I have heard the applicant in person and the learned counsel for the respondents. The learned counsel for the respondents filed a note of the Ministry of Home

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Affairs dated 25.3.1992. From this note it is evident that the respondents wants some time which may be required in finalising the report as the same has to be done after consultation with the UPSC. The UPSC may also take few months to tender their advice. As such the learned counsel for the respondents requested that 8 months' time be allowed to pass final order in this case.

5. In view of the above facts, the application is disposed of in a manner that the respondents are directed to pass final order in the departmental enquiry proceedings against the applicant within 24 weeks and communicate the result of the same to the applicant. If the applicant is still aggrieved may seek redress of his grievance in the competent court.

In the circumstances, parties to bear their own costs.

J. P. Sharma
(J. P. SHARMA)
MEMBER (J) 10/4/92