

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

Q

OA No.2797/91 Date of decision:1.6.93

Sh.Kashmira Singh ... Petitioner
versus

Commissioner of Police,
Delhi. & ors. ... Respondents

CORAM:THE HON'BLE MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)
THE HON'BLE MR.S.R.ADIGE, MEMBER(A)

For the Petitioner ... None

For the Respondents .. None

JUDGEMENT(ORAL)

(BY HON'BLE MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)

The departmental proceedings have been initiated against the petitioner. Earlier, a First Information Report had been lodged in which allegations were made against him. At that stage, this OA was filed in this Tribunal. The only ground on which the OA has been filed appears to be that since the petitioner was involved in a criminal trial, departmental proceedings cannot take place. There is no material on record to show that the petitioner was, on the date of filing of this OA, or is now facing criminal trial in a competent criminal court and the allegations in the criminal trial are similar to those which are being investigated in the departmental proceedings. Merely filing of the FIR does not mean that the criminal proceedings have commenced.

2. In our opinion, this application has been prematurely filed. The same is accordingly dismissed. The interim order dated 26.11.91 is vacated.

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(S.R.ADIGE)
MEMBER(A)

S.K.DHAON
(S.K.DHAON)
VICE-CHAIRMAN(J)