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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.No. 2805/91.

Date of decision: 21.3.95

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

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

Shri Tikam Chand Goel,
S/o Shri Sri Ram,
House No. 2710, Tri Nagar,
Delhi-35. .. Applicant

(By Advocate Shri Shankar Raju)

versus:

1. The Commissioner of Police,
Delhi Police, Delhi Head Quarters,
M.S.O. Building, I.P. Estate,
New Delhi.

2. Union of India,
Ministry of Home Affairs,
Government of India,
North Block, New Delhi
(through its Secretary).

3. Shri A.K. Singh,
Additional Commissioner of Police (DTS),
Delhi Police, Police Head Quarters,
M.S.O. Building, I.P. Estate,
New Delhi. .. Respondents

(By Advocate Shri Vijay Pandita)

O_R_D_E_R

LHon'ble Smt. Lakshmi Swaminathan, Member (Judicial) J

This application has been heard together with
O.A. No. 2019/90. The main grievance in this case is
with regard to the institution and continuation of the
departmental proceedings against the applicant after
6.9.1990 i.e. the date of the order of his compulsory
retirement.

2. We have heard learned counsel for both the
parties. Shri Shanker Raju has invited our attention

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to the photo copies of certain documents on the basis of which he avers that one Shri Jasbir Singh, who was alleged to have been cleared by the applicant at the Air Port on acceptance of money, on which the enquiry proceedings are pending, was not on the wanted list at the relevant point of time. The learned counsel, therefore, prays that a direction be issued to the respondents to consider these documents at the time of disposing of the disciplinary proceedings pending against the applicant.

3. The pending disciplinary proceedings initiated against the applicant by letter dated 4.11.1991 has been stayed by the Order dated 26.11.1991. Having regard to the facts and circumstances of the case, we see no legal bar in the respondents completing the disciplinary proceedings in accordance with law. The stay order dated 26.11.1991 is accordingly vacated.

4. The competent authority is, however, directed to consider the additional documents relied upon by the applicant before passing any final order in the disciplinary proceedings. The applicant shall submit these documents within ~~one~~^{1/2} month from the receipt of a copy of this order to the disciplinary authority, who shall thereafter take a decision in the matter in accordance with law.

5. The application is disposed of with the above directions. There will be no order as to costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

S.R. Adige
(S.R. Adige)
Member (A)