

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA No.3010/91  
Regn.No.

Date of decision: 14.7.93

Shri Kapoor Singh ... Petitioner

vs.

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

For the Petitioner ... Ms. Veena Kalra, proxy  
counsel for Mrs. Meera Chhibber, Counsel.  
For the Respondents ... ASI Ram Kumar.

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON. VICE CHAIRMAN  
THE HON'BLE MR. B.N. DHOUNDIYAL. MEMBER (A)

JUDGEMENT(ORAL)

( By Hon'ble Mr. Justice S.K.  
Dhaon. Vice Chairman)

By notice dated 28.11.91, the Deputy Commissioner of Police called upon the petitioner to show cause against the report of the Inquiry Officer. At that stage, this OA was filed in this Tribunal. An interim order was passed by the Tribunal on 20.12.91 directing not to give effect to the impugned show cause notice.

2. A reply has been filed on behalf of the respondents. Counsel for the petitioner has been heard.

3. We find no infirmity in the show cause notice. The Deputy Commissioner of Police has merely followed ~~affirmed~~ the law declared by the Supreme Court in the case of RAMZAN KHAN. The petitioner

should have shown cause. Thereafter, it was open to the Punishing authority to pass an order either to exonerate the petitioner or award him punishment. However, he was not allowed to do so in view of the interim order passed by this Court. If the petitioner has not shown cause, he may be permitted to do so now provided he files his reply within ten days from today. Thereafter, the authority concerned shall decide the matter on merits and according to law, as expeditiously as possible.

With these observations. the OA is disposed of finally. The interim order dated 20.12.91 is vacated. There shall be no order as to costs.

*B.N.Dhundiyal*  
(B.N.DHOUNDIYAL)  
MEMBER(A)

*S.K.Dhaon*  
(S.K.DHAON)  
VICE CHAIRMAN(J)

SNS