

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

C.P. No.250 of 1995

in

O.A. 341 of 1991

Dated at New Delhi, this 12th day of February, 1996.

HON'BLE MR JUSTICE P.K. SHYAMSUNDAR, ACTING CHARIMAN
HON'BLE MR K. MUTHUKUMAR, MEMBER(A)

Ramesh Kumar
S/o Shri J. S. Gularia
R/o Chandu Park, Krishna Nagar
DELHI-51.

... Applicant

By Advocate : None present.

versus

1. Shri Nikhil Kumar
Commissioner of Police
Delhi Police
Police Headquarters
MSO Building, I.P. Estate
NEW DELHI.

2. Shri Ajay Kashyap
Deputy Commissioner of Police(PCR)
Delhi Police
MSO Building
Police Headquarters
I. P. Estate
NEW DELHI.

... Respondents

By Advocate: None

Department's Representative,
Shri Ranbir Singh, Head Constable
appeared for respondents.

O R D E R (Oral)

Mr Justice P. K. Shyamsundar

Though the matter was passed over twice, none is present for the applicant. The department's representative Shri Ranbir Singh, Head Constable is present on behalf of the respondents.

The department's representative has produced before us an order dated 21.1.96 which is said to

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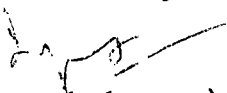
have been passed in compliance with the order of the Tribunal dated 19.5.1995 made in O.A.341/91. This C.P. has arisen out of the order in the O.A.(supra) which stood disposed off with the following directions:-

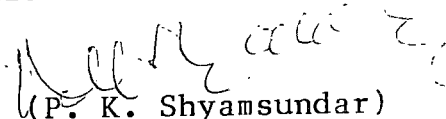
"15. In these circumstances, following the decisions of the Supreme Court referred to above, the impugned orders of dismissal dated 14.5.1990 and the appellate order dated 12.11.1990 are unsustainable as they are based on vague charges and suspicion without any reasonable proof required even in a domestic enquiry, contrary to the principles of natural justice, and hence arbitrary and perverse. The impugned orders are, therefore, quashed and set aside. The applicant shall be reinstated in service and entitled to consequential benefits in accordance with law."

From the above direction of the Tribunal it is seen that the order of dismissal from service and the appellate order confirming the same were set aside and the respondents directed to reinstate the applicant in service with all consequential benefits in accordance with law. That is what precisely has been done by the respondents as seen from a copy of the order dated 22.1.1996 passed by Respondent No.2 and produced before us today by the department's representative, which is placed on record. The department's representative also tells us that the applicant has reported for duty on 25.1.1996 and also that the applicant who has become entitled for such financial benefits as may be due to him will also be paid eventually.

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Regard being had to the following circumstances of the case, the contempt proceedings are dropped and the notices issued to the respondents stands discharged. No costs. We direct that financial benefits flowing from the orders of the O.A. should be paid to the applicant expeditiously if not already paid to him.


(K. Muthukumar)
Member(A)


(P. K. Shyamsundar)
Acting Chairman

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