

2

Central Administrative Tribunal, Principal Bench

O.A.No.175 of 2004

New Delhi, this the 9th day of March, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.K. Naik, Member (A)

Head Constable Kartar Singh, No. 83/N
S/o Shri Jagmal Singh,
R/o Qtr. No. 47-A,
Police Station, Sarai Rohilla,
Delhi

....Applicant

(By Advocate: Shri P.R. Mehta)

Versus

1. Commissioner of Delhi Police
M.S.O. Building, I.T.O.,
New Delhi.
2. Joint Commissioner of Police,
Northern Range,
M.S.O. Building,
Police Headquarters,
New Delhi
3. Dy. Commissioner of Police,
North District,
Civil Lines,
Delhi

....Respondents

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

The applicant is a Head Constable in Delhi Police. On the complaint of one Babita Rani, departmental proceedings had been initiated on the ground that on 2.12.2002 when the complainant visited CAW Cell, the applicant directed her to knit a sweater for him and handed over a pack of wool for this purpose. In addition to that, he had been making late-night telephone calls to the complainant with malafide intention.

2. The enquiry officer had been appointed who held that the allegations stood proved.

CS Ag



-2-


3. Accepting the same, the disciplinary authority imposed a penalty of forfeiture of two years approved service permanently entailing reduction in the pay. The appeal has since been dismissed.

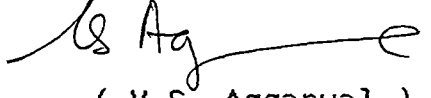
4. We have heard the learned counsel for the applicant.

5. According to the learned counsel, the allegations were not proved and there was no basis to come to such a conclusion. In a departmental proceeding, the proof required is not beyond all reasonable doubts like in the criminal trial. In the present case, the complainant herself had appeared to support the allegations. It cannot be termed that there was no material against the applicant or that the findings are erroneous.

6. No other argument has been raised.

7. Resultantly, the O.A. being without merit must fail and is dismissed in limine.


(S.K. Naik)
Member(A)


(V.S. Aggarwal)
Chairman

/dkm/