

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

R.A. No. 31/2005
in
O. A. No. 90/2004

New Delhi, this the 21st day of February, 2005

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

1. Ashok Kumar,
S/o Shri Virender Singh,
R/o Village & P.O. Khera Khurd,
Delhi
2. Virender Kumar,
S/o Shri Umrao Singh,
R/o Village Manikpur,
Thana Barot,
Distt. Meerut(UP).
...Review applicants

(By Advocate: Shri Shyam Babu)

Versus

1. Govt. of NCT of Delhi,
Through its Chief Secretary,
Players Building,
New Delhi
2. Jt. Commissioner of Police,
(Southern Range)
Police Headquarters,
I.P. Estate, New Delhi.
3. Dy.Commissioner of Police,
South West District,
Police Station Vasant Vihar,
New Delhi

ORDER (BY CIRCULATION)

By Mr. Justice V.S. Aggarwal:

Original Application No. 90/2004 had been filed. On 03.01.2005 the impugned orders passed had been quashed and disciplinary authority was directed to proceed afresh, if deemed appropriate.

2. Applicants seek review of the said order contending that the order passed by this Tribunal giving liberty to the disciplinary authority to take fresh action from the stage of recording of 'note of disagreement' is an error apparent on the face of the record.

3. We have gone through the order that has been passed. It repeatedly refers to the earlier orders that were passed by this Tribunal in earlier OAs i.e. OA No. 3126/92 decided on 13.2.1998 and OA No. 1862/2000 decided on 19.07.2001. It is patent that it was keeping in view the said orders that enquiry was re-opened. Even in the order, to which the applicants seek review, it has specifically been mentioned that it is Rule 12(d), which is attracted. Necessarily, therefore, the departmental action, if deemed appropriate, has to be



taken pertaining to other charges. Thus, there is no error apparent on the face of the record. The review application must fail and is dismissed by Circulation.


(S.K. Malhotra)

Member (A)

/na/


(V.S. Aggarwal)

Chairman