

In the Central Administrative Tribunal
Principal Bench: New Delhi

OA No.147/92

Date of decision: 12.04.1993.

Shri Satyavir Singh Etc.

...Applicant

Versus

Commissioner of Police, Delhi

...Respondents

Coram:-

The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)
The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the applicant Shri A.S. Grewal, Counsel.

For the respondents Shri O.N. Trisal, Counsel.

Judgement(Oral)
(Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman (J))

The disciplinary proceedings have been initiated against the applicant by the issue of the charge memo on 25.11.1991. The allegation is that the subject matter of the disciplinary proceedings is similar to the criminal proceedings which have been initiated against the applicant and which are pending in a criminal Court. The prayer is that this Tribunal may direct the respondents to stay their hands in respect of the departmental proceedings during the pendency of the criminal proceedings.

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

3. We have gone through the charge memo. The gravamen of the charge is that eventhough the applicant recovered a sum of Rs.1,38,000/- from one Shri Vijay, he has deposited a sum of Rs.56,200/- in the Police Station. The charge memo also discloses that a First Information Report has been launched on 14.11.1991, alleging therein that an offence had ^{been} committed under Section 381 of the I.P.C. The learned counsel for the respondents has very fairly

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conceded at the Bar that criminal proceedings are going on. We are satisfied that the subject matter of the two proceedings is somewhat similar. In these circumstances, we direct that the departmental proceedings shall be kept in abeyance till a final decision is given by the criminal Court in the criminal proceedings. However, we make it clear that it will be open to the department to continue with the departmental proceedings after the culmination of the criminal proceedings, if the department feels that it is necessary to do so.

4. With these directions this application is disposed of finally but without any order as to costs.

Subhash
(I.K. RASGOTRA)
MEMBER(A)

Sury
(S.K. DHAON)
VICE-CHAIRMAN(J)

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