

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

(9)

O.A. No. 2446 of 1992

New Delhi, dated this the 17th Nov., 1997

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Om Prakash,
S/o Shri Som Dutt Sharma,
(Head Constable No. 1162/DAP
reverted to Const. No. 779/P)
C/o Shri S.K. Goswami, Advocate)... APPLICANT

(By Advocate: Shri A.K. Bhardwaj)

VERSUS

1. Delhi Administration
through Secretary,
Dept. of Home, Delhi.
2. Commissioner of Police,
M.S.O. Building,
I.P. Estate,
New Delhi.
3. Addl. Commissioner of Police,
Police Hqrs.,
M.S.O. Building,
I.P. Estate,
New Delhi.
4. Dy. Commissioner of Police,
2nd BN., D.A.P.,
New Police Lines,
New Delhi. RESPONDENTS

(By Advocate: Shri Amresh Mathur)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant impugns the order of the
Disciplinary Authority dated 28.8.81 (Ann. A-5)
^{7 to the} reverting him ~~to~~ substantive grade of Constable;
the appellate order dated 5.12.81 (Annexure A-6)

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rejecting the appeal, and the Hon'ble L.G., Delhi order dated 26.3.92 rejecting the representation filed by the applicant against the punishment of reduction in rank (Ann. A-1)

2. We have heard Shri A.K. Bhardwaj for applicant and Shri Amresh Mathur for Respondents

3. Shri Bhardwaj has stated that the case was to have been argued by Shri S.K.Goswami who had contacted him and informed him that the applicant had subsequently taken away the file from him. However, Shri Bhardwaj's name appears in the cause list as well as in the index of the file.

4. If the applicant had any grievance against the appellate order dated 5.12.81, he should have filed the O.A. well in time. We note that the right of the appeal is a statutory remedy available to the applicant under the Delhi Police (P&A) Rules, and manifestly the O.A. which was filed on 18.9.892 is grossly time barred.

5. No doubt applicant has also impugned the Hon'ble L.G., Delhi order dated 26.3.92 rejecting his representation, but this representation being non-statutory in character, would not extend the period of limitation.

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6. Nothing has been shown to us which would warrant our interfering in the impugned orders, and under the circumstances the O.A. is dismissed. No costs.

A. Vedavalli

(DR. A. VEDAVALLI)
Member (J)
/GK/

S. R. Adige
(S.R. ADIGE)
Vice Chairman (A)