

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA No. 2790/92

(A)

New Delhi this the 11th day of December, 1997

**Hon'ble Dr.Jose P.Verghese, Vice Chairman(J)
Hon'ble Shri S.P.Biswas, Member(A)**

Ch.Rajan
S/O ShZachria,
C/O Hq.Delhi Police, New Delhi
R/O R.K.Puram Barracks,
Sector-12, New Delhi-22

(By Advocate Shri V.P.Sharma)

Applicant

Vs

Delhi Administration through,
The Chief Secretary, Old Sectt.,
Delhi.

The Commissioner of Police,
MSO, Delhi Police, I.P.Estate,
New Delhi.

The Deputy Commissioner of Police,
Police Control Room, Delhi Police,
Road Bird Club, in front of the
Indra Gandhi Stadium, Delhi.

(By Advocate Shri SK.Gupta
proxy counsel for Sh.B.S. Gupta) .. Respondents

O R D E R (ORAL)

(Hon'ble Dr.Jose P.Verghese, Vice Chairman(J)

This OA has been filed against the order passed by the Disciplinary Authority on 17.7.91 wherein the petitioner had been given punishment of reduction of pay to the next lower stage with immediate effect for a period of one year. It was also stated that he will not earn increments of pay during the period of reduction and after expiry of this period the reduction will have the effect of postponing their future increments of pay. The impugned order has noticed that the said punishment had been given keeping in view of his good record and performance as a Police Officer. The petitioner has also submitted that the Appellate Authority's order is not a speaking order and in the circumstances the appellate authority's order

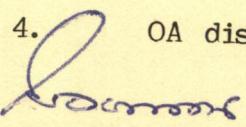
(8)

needs to be quashed since the appellate authority is bound to pass a speaking order in accordance with the rules.

2. After notice the respondents have stated that the Appellate authority has only confirmed the decision of the disciplinary authority and in such circumstances, the reasons given by the disciplinary authority will have to be treated to have been accepted by the appellate authority. In this case the appellate authority has not differed from the reasons given in the impugned order passed by the disciplinary authority.

3. We have also noticed that despite the applicant's good record and performance he has been given a less harsh a punishment. The Appellate authority seems to agree with the findings of the disciplinary authority that the petitioner has good record and performance and in view of this matter, we dismiss this OA with an observation that the appellate authority may reconsider the case of the petitioner in the light of his good record and past performance and, in case, any decision is taken in favour of the petitioner the same may be communicated to the applicant and implemented in due course.

4. OA disposed of as above.


(S.P. Biswas)
Member(A)


(Dr. Jose P. Verghese)
Vice Chairman(J)

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