

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

(9)

Regn. No. OA 288/1992

Date of decision: 10.09.1993

Shri Roshan Lal

.... Petitioner

Versus

Commissioner of Police, Delhi & Ors. .... Respondents

For the Petitioner

.... None.

For the Respondents

.... Ms. Anju Doshi, proxy  
counsel for Ms. Geeta  
Luthra, Counsel

CORAM:

THE HON'BLE MR. JUSTICE S. K. DHAON, VICE CHAIRMAN

THE HON'BLE MR. B. N. DHOUNDIYAL, MEMBER (A)

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr.  
Justice S. K. Dhaon, Vice-Chairman)

The petitioner, an Assistant Sub-Inspector of Police was subjected to departmental proceedings. The Enquiry Officer *prima facie* found him guilty and made a recommendation that he should be dealt departmentally under Section 21 of the Delhi Police Act, 1978. The punishing authority by a well considered order dated 14.07.1988 passed an order of punishment to the effect that the increments of the petitioner for a period of 2 years shall remain withheld with cumulative effect and the period of his suspension from 6.9.1987 to 30.09.1987 was to be treated as not spent on duty.

2. On 07.12.1988, the appellate authority dismissed the appeal preferred by the petitioner. The orders passed by the punishing authority and the appellate authority are being impugned in this application.

(10)

3. A copy of the charge is before us. According to it, as Duty Officer the petitioner was posted on 03.09.1987 at the Police Station Leboli Gate, North District, Delhi and his duty hours were from 4 PM to 12.00 hours mid-night. One Smt. Santosh lodged a report vide DD No. 17-A dated 3.9.1987 that her son Sunil aged 6 years was missing. The petitioner marked the DD entry to SI Prem Singh but did not hand over the same to the said S. I. till 6.00 P.M. on 4.9.1987. The boy being a minor, a case should have been immediately registered but the petitioner failed to do so.

4. The punishing authority has considered all the aspects and it has recorded a categorical finding that the charge was brought home to the petitioner. The appellate authority too has passed a speaking order which has dealt with the contentious advanced by the petitioner. It has affirmed the order of the punishing authority.

5. A counter-affidavit has been filed by the respondents. In it, it is averred that the petitioner preferred a revision petition which too was dismissed on 24.04.1989. That order has not been impugned in the present application.

6. It appears that this O. A. has been filed at a belated stage. It was filed on 3.2.1992 whereas the reversion order was passed on 24.04.1989, no explanation has been offered for the delay.

8

(P)

7. We have gone through the record ourselves. We see no infirmity in the impugned orders. We are, therefore, unable to grant any relief to the petitioner.

8. The application fails and is dismissed. No costs.

*B. N. D. Y.*  
(B. N. DHOUDIYAL)

MEMBER (A)

10.09.1993

*S. K. D.*  
(S. K. DHAON)  
VICE CHAIRMAN  
10.09.1993

RKS  
100993