

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A. No. 3057 of 1992

Date of Decision: 3.5.93.

Naresh Chand & others Applicants.

Versus

Union of India & others Respondents.

COURT:

Hon'ble Mr. Justice S.K.Dhaon, Vice Chairman,

Hon'ble Mr. S.R. Adige, Member (A)

For the applicants: Shri A.S. Grewal, Counsel.

For the respondents: Shri M.K. Giri, Counsel.

JUDGMENT (ORAL)

(By Hon'ble Mr. Justice S.K.Dhaon, Vice Chairman)

Vide order dated 10.9.92, the Deputy Commissioner of Police initiated ~~the~~ proceedings against the applicants. The charge contained in the order indicates that the applicants had committed certain criminal offences. The applicants came to this Tribunal with the allegation that they were being subjected to a criminal trial. Therefore, they would be prejudiced in the trial if the departmental proceedings are allowed to continue simultaneously with the trial.

2. A counter-affidavit has been filed. In it, it is admitted that the applicants are facing precisely the same charges before the Criminal Court as before the Disciplinary Authority. In view of this admission, it is clear that the departmental proceedings cannot go on till the culmination of the criminal proceedings. We, therefore, direct that the departmental proceedings shall remain in abeyance till a decision is given by the Criminal Court. If the applicants are acquitted, it will be open to the authority concerned to take a decision and thereafter to proceed with the departmental enquiry.

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

Arjode
(S.R. ARJODE)
MEMBER (A)

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

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