

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

RA 99/93  
MP 943/93  
OA 1248/92

Date of decision : 12.4.1993

Union of India

...Petitioner

Versus

Shri Nirmal Singh

...Respondents

CORAM : -

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

Hon'ble Mr I.K. Rasgotra, Member (A)

For the Petitioner - Shri A.K. Aggarwal

For the Respondents - None

O R D E R

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

The Order of 23rd November, 1992 passed by a Bench of this Tribunal (Hon'ble Mr Justice Rampal Singh, Vice Chairman (j) and Hon'ble Mr I.P. Gupta, Member (A)) is on the subject matter of Review Application.

This Tribunal directed the Commissioner of Police, New Delhi to dispose of the appeal of the applicant in (S.I. Nirmal Singh) on merits and in accordance with the law within the specified time). The department has pointed out in this application that this Tribunal has committed an error in directing the Commissioner of Police to dispose of appeal as that Officer had, in fact, given his approval to the 'imposition' of punishment upon the applicant. The Counsel for the Department therefore urges that an appeal to the Commissioner of Police, under the circumstances is futile.


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(18)

There appears to be force in his submission.

Having considered the matter with some anxiety, we direct Commissioner of Police to transmit appeal ~~filed~~ <sup>by</sup> the applicant to the competent appellate authority. The said authority shall treat ~~the~~ appeal as having been filed within ~~the~~ time before it. Thereafter, it shall dispose of the appeal on merits and in accordance with the law as expeditiously as possible.

We are passing this order even without giving notice to S.I. Nirmal Singh. We are doing so as it is in his own interest. Let a copy of this order be passed <sup>on</sup> to the authority concerned. With ~~this~~ <sup>the</sup> observation, <sup>its</sup> application is disposed of.

  
(I.K. RASGOTRA)  
MEMBER (A)

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