

Central Administrative Tribunal
Principal Bench

R.A. No. 129 of 1999
M.A. No. 1250 of 1999
M.A. No. 1251 of 1999
in
O.A. No. 2015 of 1992

11

New Delhi, dated this the 10th September, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mr. Kuldip Singh, Member (J)

1. Commissioner of Police,
Police Headquarters,
I.P. Estate,
New Delhi.

2. Dy. Commissioner of Police/M.T.
6th BN, DAP,
Model Town,
Delh-110009.

... Review Applicants

(By Advocate: Shri Bhaskar Bhardwaj
proxy counsel for Shri Arun Bhardwaj)

Versus

Shri Satender Kumar,
S/o Shri Shambhu Dayal,
R/o Vill. Alipur Kheri,
P.O. Alipur Kheri,
P.S. Baloni
Dist. Muzzafarnagar,
U.P.

... Respondent

(By Advocate: Shri Shyam Babu)

ORDER (Oral)

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

Heard.

2. This R.A. has been filed by respondents seeking review of the Tribunal's order dated 12.5.93 in O.A. No. 2015/92, whereby Respondents had been directed to keep the departmental proceedings in

~

(12)

abeyance till a final decision was passed in the criminal case instituted against applicant in O.A. Shri Satender Kumar.

3. We have heard Shri Shyam Babu for applicant and Shri Bhaskar Bhardwaj proxy counsel for Shri Arun Bhardwaj for respondents.

4. The only ground taken in the R.A. is that after the aforesaid order dated 12/5/93 was passed, Respondents have come across the Hon'ble Supreme Court's judgment in State of Rajasthan Vs. B.K. Meena JT 1996 (8) SC 684 wherein discretion has been given to respondents to initiate the D.E. during the pendency of the criminal case. It is also contended that it is in the interest of the applicant to get the departmental enquiry concluded at the earliest.

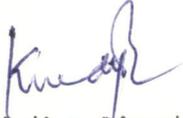
5. The aforesaid grounds are not sufficient to warrant review of the impugned order dated 12.5.93 under Section 22(3)(f) read with Order 47 Rule 1 C.P.C.

6. In this connection Shri Shyam Babu has invited our attention to the Tribunal's order dated 3.2.99 dismissing the R.A. No. 216/98 in O.A. No. 60/92 in which ^{similar} ~~identical~~ grounds advanced for review of the Tribunal's order dated 14.8.92 in that O.A. were rejected.

A

13

7. Under the circumstances the R.A. together with connected M.A. No. 1250/99 and M.A. No. 1251/99 is rejected.



(Kuldip Singh)
Member (J)



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

/GK/