CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 503/1992

New Delhi this the 9th day of July, 1997.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI N. SAHU, MEMBER (A)

Ex. Constable Jai Karan, No.4032/DAP,
S/O Bhan Singh,
R/O Village Tatesar,
P.O. Juanti, P.S. Sultanpuri,                      ... Applicant
Delhi-110081.

( By Shri Shankar Raju, Advocate )

                         -Versus-

1.   Additional Commissioner of
     Police, Armed Police,
     Police Headquarters,
     M.S.O. Building, I.P.Estate,
     New Delhi.

2.   Deputy Commissioner of Police,
     5th Bn. DAP, Kingsway Camp,          ... Respondents
     Delhi.

( None for the Respondents )

                O R D E R   (ORAL)

Shri Justice K. M. Agarwal -

     Heard the learned counsel for the applicant.

     By  this  application  under Section  19  of  the
Administrative  Tribunals Act, 1985, the applicant has
made  a  prayer  for reinstatement  with  consequential
reliefs  after  setting  aside  the  dismissal  order
(Annexure  A-5)  passed  against  him,  as  also  the
appellate  order  (Annexure A-7) confirming the  order
passed by the disciplinary authority.

The applicant was a Constable in the Delhi Police. He was chargesheeted for unauthorised absence for a period of 331 days during the period of suspension. He was found guilty and accordingly, the impugned order was passed.

The learned counsel for the applicant submitted that in similar circumstances, the dismissal orders were set aside by this Tribunal. One such order was passed in O.A. No. 579/1992, decided on 5.6.1996.

For similar reasons as given in the order passed in O.A. No. 579/1992, the impugned order of dismissal and the appellate order are quashed. In so far as the reliefs are concerned, we direct that the applicant shall be reinstated in service without any claim for backwages and/or seniority over persons already promoted. However, the period of absence between the date of suspension and the date of reinstatement shall be regularised for the purpose of post-retirement benefits. No order as to costs.

( K. M. Agarwal )
Chairman

( N. Sahu )
Member (A)

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