

(11)

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

\* \* \*

Date of Decision: 20.11.92

OA 878/92

L.S. BRAR & ORS.

... APPLICANTS.

Vs.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

THE HON. MR. JUSTICE RAM PAL SINGH, VICE CHAIRMAN (J).  
THE HON. MR. I.P. GUPTA, MEMBER (A).

For the Applicant

... SHRI SAKESH KUMAR.

For the Respondents

... SHRI A.K. AGGARWAL.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporters or not ?

JUDGEMENT (ORAL)

The applicant is an employee of Delhi Police. He is alleged to have gone on leave without permission, hence a departmental inquiry was instituted against him. It is also alleged that he has not participated in the inquiry itself and hence Annexure "C" was passed by the Disciplinary Authority on

*23.5.91* ~~7.5.90~~ before the Commissioner of Police, Delhi, dated 16.7.91, in *Complaint of  
discreet  
order* *11293* which he has challenged the impugned order or dismissal, passed against him by the Disciplinary Authority. The respondents have admitted in their counter that the appeal filed by the applicant is still pending before the Appellate Authority.

We are of the view, that the Appellate Authority should first apply its mind to the grounds raised by the applicant in the memorandum or appeal/representation dated 16.7.91. We, therefore, direct the Appellate Authority to decide the appeal of the applicant, pending before it, by a speaking order after giving an opportunity of being heard to the applicant within a period of three months from the date of receipt of the copy of this order.

The interim order passed by us earlier shall merge with this judgement. The learned counsel for the respondents oppose the continuance of the interim order. As the applicant's appeal is still pending, the interim order shall continue till then.

*I.P. Gupta*  
( I.P. GUPTA )

MEMBER (A)  
20.11.92

*Ram Pal Singh*  
( RAM PAL SINGH )  
VICE CHAIRMAN (J)  
20.11.92