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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No.1200 of 1993

This 9th August, 1994

Hon'ble Mr. Justice D.L. Mehta, Vice Chairman (J)
Hon'ble Mr. B.K. Singh, Member (A)

H.C. Yogesh Kumar
(No.4193 DAP (2095/DAP)
C/o Shri Yadgir, WZ 1228 A,
Nagal Rai, Near Pankha Road,
New Delhi.

..... Applicant

By Advocate: Shri R.L. Sethi

VERSUS

Union of India, through:

1. The Commissioner of Police,
P.H.Q., MSO Building,
I.P. Estate,
New Delhi.

2. The Addl. Commissioner of Police,
AP & T, P.H.Q.,
I.P. Estate,
New Delhi.

Respondents

By Advocate: Ms. Ashoka Jain

O R D E R (Oral)

(Hon'ble Mr. B.K. Singh, M(A))

The applicant, Yogesh Kumar, No.2095/DAP, while posted in 3rd Bn. DAP was detailed as BHM/3rd Bn. DAP on 3.4.1991. HC Ranbir Singh, No.2105/DAP (under suspension) was reinstated from suspension but after his reinstatement he did not perform any duty from 4.4.91 to 24.4.91 i.e. for 3 weeks. According to the duty roster of 'A' and 'E' Companies and Batallion's 'Chitta', HC Ranbir Singh was also shown as Hospital Reserve during the aforesaid period, but actually he never turned up

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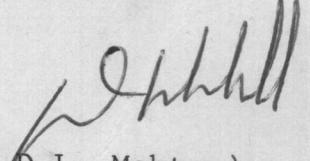
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for duty. This happened with explicit connivance of the applicant, Yogesh Kumar. For this lapse a show-cause notice was issued to the applicant. He submitted a reply to the said show-cause notice. The competent authority imposed minor penalty of 'censure' on the applicant. Aggrieved by this punishment he preferred an appeal to the Additional Commissioner of Police. The Additional Commissioner of Police, after giving due consideration to the points raised by the applicant in the appeal, passed a speaking order rejecting the appeal. The appellate authority after going through all relevant documents, including the duty roster and explanation submitted by the applicant, satisfied himself that the minor penalty of 'censure' imposed on the applicant was correct.

2. We have heard the learned counsel for the applicant and have also perused the record of the case. We have also gone through the relevant rule of Delhi Police (Punishment & Appeal) Rules, 1980 and accordingly we uphold the order of the appellate authority.

3. We do not find any merit in the present OA warranting interference of this Tribunal in the order of minor penalty of censure imposed on the applicant and therefore the OA is dismissed, but without any order as to costs.


(B.K. Singh)
Member (A)


(D.L. Mehta)
Vice Chairman (J)