

In the Central Administrative Tribunal
Principal Bench: New Delhi

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OA No.740/93

Date of decision: 08.04.1993.

Shri Hari Ram Malik

...Applicant

Versus

Commissioner of Police & Others

...Respondents

Coram:-

The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman (J)
The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the applicant

Shri B.R. Saini, Counsel.

For the respondents

None

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

Disciplinary proceedings are going on against the applicant. An Enquiry Officer has been appointed. In substance, the allegation is that the Enquiry Officer is biased. The prayer, therefore, is that we may direct that some other Enquiry Officer may be appointed.

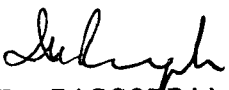
2. It appears that so far the applicant has not made any proper application to the punishing authority viz. Deputy Commissioner of Police that the Enquiry Officer (Shri Zile Singh) appointed by him may be changed. It will be open to the applicant to make a proper application to the punishing authority, setting out therein the relevant facts, which, according to him, constitute bias. If such an application is made, the same shall be disposed of by a speaking ^{order} by the Deputy Commissioner of Police as

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expeditiously as possible but not beyond a period of three weeks from the date of presentation of a copy of the application alongwith a certified copy of this order.

3. With these directions this Application is disposed of finally ^{but} without any order as to costs.


(I.K. RASGOTRA)
MEMBER(A)


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

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