

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

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Regn.No. OA 836/1993

Date of decision:13.05.1993

Shri Moti Lal Sharma

...Applicant

Versus

Delhi Administration & Another

...Respondents

For the Applicant

..Shri Shanker Raju, Counsel

For the Respondents

...None

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN
THE HON'BLE MR. S.R. ADIGE, ADMINISTRATIVE MEMBER

1. To be referred to the Reporters or not?

JUDGMENT (ORAL)

**(of the Bench delivered by Hon'ble Mr.
Justice S.K. Dhaon, Vice-Chairman(J))**

A FIR has been launched alleging therein that the petitioner had committed certain offence. No charge-sheet has been given to the petitioner so far. However, departmental proceedings have commenced. The petitioner came to this Tribunal, immediately after the copy of the summary of allegations was given to him, on the footing that since he was facing a criminal trial, departmental proceedings should not go on.

2. On the last date of hearing, the learned counsel submitted that he will produce a copy of the charge-sheet submitted by the competent authority(the police). The learned counsel has very fairly stated that no charge-

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sheet has been submitted so far. In view of this submission, it is clear that so far the petitioner is not facing a criminal trial. The departmental proceedings can, therefore, go on. We are not inclined to interfere with the departmental proceedings at this stage. However, we make it clear that if and when a charge-sheet is given to the petitioner and he is proceeded against in a criminal trial, it will be open to him, to come to this Tribunal.

3. With these directions, this petition is disposed of. The interim order already passed is hereby vacated.

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(S.R. ADIGE)
MEMBER (A)
13.05.1993

Dhaon

(S.K. DHAON)
VICE CHAIRMAN
13.05.1993

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