

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

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OA No.92/93

Date of decision:10.5.93.

Sh.Vinod Kumar Sharma ... Applicant
versus

Commissioner of Police ... Respondents
& anr.

CORAM:THE HON'BLE MR.I.K.RASGOTRA, MEMBER(A)
THE HON'BLE MR.J.P.SHARMA, MEMBER(J)

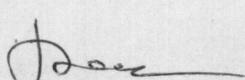
For the Applicant ... Applicant in
person.

For the Respondents ... Sh.M.K.Giri, Counsel.

JUDGEMENT(ORAL)

(BY HON'BLE MR.I.K.RASGOTRA, MEMBER(A))

The applicant submitted that his counsel is not present and, therefore, the case may be adjourned. A perusal of the OA shows that the applicant is seeking relief by way of direction to the respondents not to proceed with the departmental enquiry during the pendency of the criminal case against the applicant and ~~sh~~to await the decision of the criminal case filed vide F.I.R.No.252/92 dated 27.10.92. In an answer to a question from the Bench, the applicant stated that no chargesheet has been filed in the criminal case. Mere lodging of the FIR does not constitute institution of criminal case. Accordingly, we are inclined to take the view that the relief prayed for in the OA in its present form is not proper nor justified. The OA is pre-mature and is accordingly dismissed. However, this will not preclude the applicant from approaching the Tribunal if so advised and in accordance with law. No costs.


(J.P.SHARMA)
MEMBER(J)


(I.K.RASGOTRA)
MEMBER(A)