

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.1586/2021

This the 12th day of August, 2021

(Through Video Conferencing)



**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Vijender Singh Mal
Constable (Exe.)
Age about 35 years
Posted at PCR, Delhi
Under Suspension (At Police Line)
No.2808/SD, 7528/DAP
(NOW7134/PCR)
(PIS No.28101327) ...Applicant

(Through Advocate: Shri L.C. Rajput)

VERSUS

1. The Commissioner of Police
Delhi Police, PHQ, New Delhi.
2. Deputy Commissioner of Police
Police Control Room, Delhi. ...Respondents

(Through Advocate: Shri Amit Anand)

ORDER (Oral)

Hon'ble Mr. R. N. Singh, Member (J):

In the present OA filed under Section 19 of the Administrative Tribunals Act, 1985, the grievance of the applicant is that he was arrested in case FIR No.113/2020



under Section 323/376//506 IPC, P.S. C.R. Park, South District, New Delhi. An order dated 31.03.2021 was issued to conduct departmental inquiry against the applicant. The applicant was supplied copy of summary of allegations, list of witnesses as well as list of documents in the departmental proceedings. Challan under Section 173 Cr.PC is stated to have been filed in the court of Learned C.M.M., South District, Delhi in respect of FIR under reference.

2. The applicant made a representation for staying the departmental proceedings in view of parallel proceedings in the criminal case. However, the said request was rejected by the respondents vide order dated 07.05.2021.

3. Learned counsel for the applicant argues that against the order dated 07.05.2021 the applicant has preferred an appeal before the Commissioner of Police on 23.07.2021 (Annexure A-7). However, without considering and disposing of the appeal, the respondents are going ahead with the departmental proceedings.

4. Issue notice.

5. Shri Amit Anand, learned counsel, who appears for respondents on advance service, accepts notice.



6. Learned counsel for the applicant submits that the applicant shall be satisfied, if the present OA is disposed of with direction to the respondents to consider the applicant's pending representation/appeal dated 23.07.2021 (Annexure A-7) in a time bound manner.

7. In the facts and circumstances, we are of the considered view that if such request on behalf of the applicant is accepted, no prejudice is likely to be caused to the respondents.

8. In view of the aforesaid, without going into the merits of the case, the present OA is disposed of with a direction to the respondents to consider the applicant's aforesaid pending representation/appeal dated 23.07.2021 (Annexure A-7) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within four weeks from today.

OA is disposed of in the aforesaid terms. No costs.

(Mohd. Jamshed)
Member (A)

(R.N. Singh)
Member (J)

dkm/uma/anjali