

Central Administrative Tribunal
Principal Bench
New Delhi

R.A.No.217/2014
in
O.A.No.1669/2011

Order Reserved on: 13.05.2016
Order pronounced on 12.07.2016

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Dr. Birendra Kumar Sinha, Member (A)

Ombir Singh
S/o Shri Gopi Ram
R/o RZ-3B/20-A
Gali No.24, Indra Park
Palam Colony,
New Delhi. Review Applicant

(By Advocate: Shri Anil Singhal)

Versus

1. Govt. of NCT of Delhi
Through Commissioner of Police
PHQ, I.P.Estate, New Delhi.
2. Joint Commissioner of Police
Southern Range
PHQ, I.P.Estate, New Delhi.
3. Addl. Dy. Commissioner of Police
West District, New Delhi. Review respondents

(By Advocate: Sh. Vijay Pandita)

ORDER

By V. Ajay Kumar, Member (J):

Heard both sides.

2. The review applicant is the original applicant in OA No.1669/2011. He filed the same, questioning the imposition of the punishment of withholding of one future increment permanently and also deciding the suspension period from 26.07.2008 to 25.05.2008 as not spent on duty.

3. The OA was originally dismissed vide order dated 22.11.2011. However, the said order was set aside by the Hon'ble High Court of Delhi and the OA was remanded back vide its order dated 17.04.2013 in WP (C) No.6233/2012. Accordingly, this Tribunal again after hearing both sides, by its order dated 03.09.2014 dismissed the OA.

4. The applicant sought for review of the said order mainly on the ground that this Tribunal, while dismissing the OA on 03.09.2014, had not complied with the directions of the Hon'ble High Court.

5. The said contention of the applicant is unsustainable as this Tribunal while dismissing the OA while categorically mentioning the observations made by the Hon'ble High Court at para 5, examined the statements of PW-1 and PW-4 and evaluated the entire evidence at Paragraphs 6 to 8 and gave a clear finding that the applicant has misbehaved, as alleged in the Charge Memorandum, and such an attitude cannot be justified, dismissed the OA.

6. Hence, in the circumstance and for the aforesaid reasons, we do not find any merit in the OA and accordingly, the same is dismissed. No costs.

(Dr. Birendra Kumar Sinha)
Member (A)

(V. Ajay Kumar)
Member (J)

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