

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-4098/2018

New Delhi, this the 26th day of October, 2018

Hon'ble Sh. V. Ajay Kumar, Member(J)

Hon'ble Sh. A.K. Bishnoi, Member(A)

Sunil Kumar Ola

S/o Sh. Om Prakash Ola

R/o Village + Post – Ardawata, Tehsil-chirawa,

Distt. Junjhunu, Rajasthan-333027

Aged about 29 years, Group 'C',

(terminated Constable)

... Applicant

(through Sh. Jatin for Sh. Ajesh Luthra)

Versus

Commissioner of Police,

PHQ, MSO Building,

IP Estate, New Delhi.

1. Deputy Commissioner of Police,
VII Bn./DAP, PTS colony, Malviya Nagar,
New Delhi.

...

Respondents

ORDER(ORAL)

Hon'ble Sh. V. Ajay Kumar, Member(J)

Heard learned counsel for the applicant.

2. The applicant, a Constable under the Respondents - Delhi Police, whose services were terminated vide Annexure A/2 order dated 05.07.2012 and Rule 5(11) of CCS (Temporary Service) Rules-1965, in view of his conviction in criminal case, submitted Annexure A/7 representation dated 25.06.2018 addressed to the Deputy Commissioner of Police, Delhi after his acquittal on 31.10.2017

seeking his reinstatement. The said representation was rejected by impugned Annexure A/1 dated 10.09.2018 by the respondents by stating that the representation was not addressed to the competent authority, i.e., Commissioner of Police, Delhi. The applicant, instead of making appropriate representation to the competent authority, i.e., Commissioner of Police, Delhi, filed the instant OA.

3. In the circumstances, the OA is disposed of at the admission stage itself without going into the merits of the case by permitting the applicant to make an appropriate representation, if he is so advised, to the competent authority, within four weeks from today and if such a representation is made, the concerned authority shall consider the same and pass appropriate reasoned and speaking order thereon, in accordance with law, within a reasonable time. No costs.

Let a copy of the OA be enclosed to this order.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)

/ns/