

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

O.A.2520/2018

Wednesday, this the 11th day of July, 2018

**Hon'ble Mr. K.N. Shrivastava, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)**

Sh. Chetan Manchanda

Age 31 years

Designation : Driver

s/o late HC Bhim Sain

r/o H.No.170, O Block

Vani Vihar, Uttam Nagar

New Delhi – 110 059

..Applicant

(Mr. Rohit Bindal, Advocate for Mr. Viveck Agarwal, Advocate)

Versus

1. The Commissioner of Delhi Police
PHQ, IP Estate, ITO, New Delhi

2. Dy. Commissioner of Police
Recruitment Cell
New Police Line, Kingsway Camp
New Delhi – 110 009

..Respondents

(Mr. H A Khan, Advocate)

O R D E R (ORAL)

Mr. K.N. Shrivastava:

The applicant has been considered by the Delhi Police – respondent organization for granting him compassionate appointment to the post of Constable (Dvr.). The applicant is having marital dispute with his wife. She had filed criminal complaint against him, as a result of which certain FIRs have been registered and the applicant is facing trial in the criminal court. Annexure A-1 letter of the respondents dated 08.02.2017 mentions about these FIRs and further states that the applicant's candidature to the post of

Constable (Driver) is kept in abeyance till the criminal court pronounced its verdict in the criminal case.

2. Heard learned counsel for applicant.

3. It is quite obvious that a person cannot be granted any appointment in Government if he is facing any criminal charges. Appointment can be offered only after the person gets cleared of the criminal charges. In the instant case, obviously the applicant is facing criminal charges and the case is being tried by the competent criminal court.

4. Under these circumstances, we do not find any flaw in the impugned Annexure A-1 letter dated 08.02.2017 of the respondents. Hence, we do not find any merit in this O.A. It is accordingly dismissed. The applicant, however, shall have liberty to take recourse to appropriate remedy, as available to him under law, after he is cleared of the criminal charges.

(S.N. Terdal)
Member (J)

July 11, 2018
/sunil/

(K.N. Shrivastava)
Member (A)