

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...

**O.A. No.60/870/2016**

**Date of decision: 04.09.2018**

**M.A. No.60/1290/2018**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).  
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

...

Sunil Kumar, S/o Dharam Pal, aged 33, Ex Constable No.717/CP, R/o H.

No.202, New Police Line, Sector-26, Chandigarh. Group 'C'.

**... APPLICANT  
VERSUS**

1. Union of India through the Secretary to Government of India, Ministry of Home Affairs, North Block, New Delhi.
2. Home Secretary, Chandigarh Administration, Chandigarh, U.T. Secretariat, Sector-9, Chandigarh.
3. Inspector General of Police, Union Territory, Chandigarh, U.T. Police Head Quarter, Sector-9, Chandigarh.
4. Deputy Inspector General of Police, U.T. Police Head Quarter, Sector-9, Chandigarh.
5. Senior Superintendent of Police, U.T. Police Head Quarter, Sector-9, Chandigarh.

**... RESPONDENTS**

**PRESENT:** Sh. Rohit Seth, counsel for the applicant.

None for respondent no.1.

Sh. Arvind Moudgil, counsel for respondents no.2 to 5.

**ORDER (Oral)**

...

**SANJEEV KAUSHIK, MEMBER (J):-**

1. Learned counsel for the parties are in agreement that out of three similar cases, two have been remanded back to the disciplinary authority to re-examine the entire matter and pass fresh order in accordance with the rules, on the indicated pleas raised by the applicants therein. Therefore, learned counsel for the applicant prayed that this O.A. may also be disposed of in the same terms with liberty to the applicant to also raise supplementary points.
2. Considering the above, this O.A. is also disposed of in the same terms as in the case of **Shamsher Singh vs. UOI & Ors.** (O. A. No.60/869/2016), with a rider that before finalizing the departmental proceedings, disciplinary authority has to give an opportunity of hearing to the applicant with regard to pleas raised before this Court. M.A. also stands disposed of. No costs.

**(P. GOPINATH)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

Date: 04.09.2018.  
Place: Chandigarh.

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