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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No.1827/2003

Tuesday, this the 9th day of March, 2004

Hon'ble Shri Justice V. S. Aggarwal, Chairman
Hon'ble Shri S. K. Naik, Member (A)

Shri Soordass
No.4631/D (Group 'C')
s/o Shri Puran Singh Yadav
r/o A-3, Bara Mohalla, Devli Road, Khanpur,
New Delhi-62

..Applicant

(By Advocate: Shri S.K.Gupta)

Versus

1. Govt. of NCT of Delhi
through Chief Secretary
Delhi Secretariat
IG Stadium, IP Estate, New Delhi-2
 2. Commissioner of Police
Delhi Police Headquarters
MSO Building, IP Estate, New Delhi-2
 3. Joint Commissioner of Police (HQs)
Delhi Police Headquarters
MSO Building, IP Estate, New Delhi-2
 4. Deputy Commissioner of Police-Headquarters
(Establishment)
Delhi Police Headquarters
MSO Building, IP Estate, New Delhi-2
 5. Deputy Commissioner of Police
Police Control Room
Delhi Police Headquarters
MSO Building, IP Estate, New Delhi-2
- ..Respondents
- (By Advocate: Shri Harvir Singh)

O R D E R (ORAL)

Justice V. S. Aggarwal:

By virtue of the present application, the applicant, Shri Soordass, seeks quashing of the order of 30.5.2003 and also the action of the respondents in relying upon the entries which are below mark without communicating the same.

2. Learned counsel for respondents had made available to us the tabulated confidential reports

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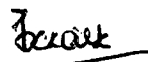
pertaining to the applicant. After going through the same, the matter has become simple and we need not dwell into any other controversy. The reasons are obvious which we state hereinafter.


3. The claim of the applicant was for the post of Sub Inspector. It is not in dispute that a person has to earn three 'Good' reports in the last five years. The applicant had been suspended in January, 1996 and was reinstated only on 8.5.1998. Subsequently, the said period has been treated as the period spent on duty.

4. Perusal of the records revealed that even for the period when the applicant was under suspension, his confidential report has been recorded which should not have been so recorded, particularly when he has not discharged any duties.

5. Once such a mistake has occurred, we are refraining to express ourselves on any other controversy. It is directed that in face of what has been recorded above, a review DPC may be held and in accordance with the procedure, the matter should be reconsidered. The exercise in this regard should be completed within four months from the date of receipt of a certified copy of the present order.

6. With these directions, OA is disposed of.


(S. K. Naik)
Member (A)


(V. S. Aggarwal)
Chairman

/sunil/