

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2096/2003

6

Friday, this the 23rd day of January, 2004

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

Chattarpal

Ex.Constable of Delhi Police (PIS No.28880292)

R/o Vill & P.O.:-Barouli,

PS Palwal, Distt. Faridabad,

Haryana.

... Applicant

(Shri Anil Singal, Advocate)

versus

1. GNCT of Delhi, through
Commissioner of Police
Police Head Quarters, IP Estate, New Delhi
2. Joint Commissioner of Police
(New Delhi Range) PHQ, I.P.Estate,
New Delhi.
3. DCP(New Delhi Dist)
through Comm. of Police,
Police Head Quarters,
I.P.Estate, New Delhi.
4. DCP (Vigilance)
through Comm.of Police,
Police Head Quarters,
I.P.Estate, New Delhi. ... Respondents

(Shri Ajesh Luthra, Advocate)

O R D E R (ORAL)

Shri Justice V.S.Aggarwal:

Our attention has been drawn towards the order of this Tribunal in 1150/2003 decided on 14.10.2003 (ex.Head Constable Preet Pal Singh) wherein the following order was passed. The operative portion reads:

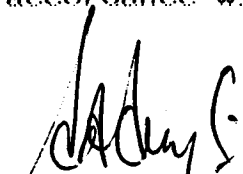
"10. In view thereof, we allow the present OA and quash and orders passed by the disciplinary and appellate authority. The case is remitted back to the disciplinary authority to take appropriate action in accordance with Rules/instructions from the stage of issue of charge-sheet and pass




suitable orders accordingly. Needless to state the applicant shall be reinstated in service and the period from the date of dismissal to date of reinstatement shall be decided in accordance with Rules."

2. It is not in dispute that the Head Constable Preet Pal Singh was dealt with in the same enquiry with Constable Chatterpal. Therefore, on parity of reasoning, we quash the impugned orders passed by the disciplinary and appellate authorities and remit the matter back to the disciplinary authority to take an appropriate action in accordance with Rules/instructions from the stage of issue of charge-sheet and pass suitable orders accordingly.

3. Needless to state the applicant shall be reinstated in service and the period from the date of dismissal to date of reinstatement shall be decided in accordance with Rules.


(S. A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

/kdr/