

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A.NO. 94/2004

M.A.NO.739/2004

in

O.A.NO.808/2003

New Delhi, this the 16th day of April, 2004

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE SHRI S.A.SINGH, MEMBER (A)

Mrs. Vidhu Sharma
w/o Shri Pradeep Sharma
r/o H.No.281-A~
Virendra Nagar, Janakpuri
New Delhi.

... Applicant

Versus

1. Secretary
Ministry of Home Affairs
Government of India
New Delhi.
2. Commissioner of Police
Delhi Police Headquarter
I.P.Estate
New Delhi.
3. Deputy Commissioner of Police
F.R.R.O., E, Block
R.K.Puram
New Delhi.
4. Deputy Commissioner of Police
I.G.I. Airport
New Delhi.

.. Respondents

O R D E R (By Circulation)

Justice V.S. Aggarwal:-

Applicant (Mrs. Vidhu Sharma) had filed Original Application No.808/2003. On 29th October, 2003, the same was dismissed because it was informed that even investigation was in progress in the two cases registered against the applicant. She seeks review of the said order contending (a) the supplementary report has already been filed and the investigation has already been completed and (b) it has been recorded that there were two FIRs against the applicant, which is not correct.

JS Ag

3

2. On perusal of the facts, we find that it cannot be termed that there is an error apparent on the face of the record to review the matter.

3. The sole question for controversy is that if the departmental proceedings against the applicant should be stayed/kept in abeyance, till the conclusion of the criminal cases, i.e., FIR Nos. 31/2001 and 822/2001.

4. The reasons are obvious and not far to fetch. Even in the present application, the date is not given when the supplementary report has been filed. When the order was passed by this Tribunal even at that time it was not pointed on behalf of the applicant, and when the respondents' counsel informed that the matter is under investigation, it was not disputed. The fact remains that when there is an inordinate delay, pertaining to the criminal case, the question of staying the proceedings which were initiated for departmental action, did not arise.

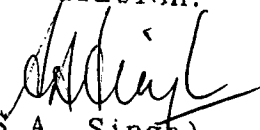
5. It was applicant's own version for stay of the departmental proceedings till the conclusion of the criminal cases FIR 31/2001 and 822/2001. In both the cases it was found that there was an inordinate delay in investigation. Resultantly, keeping in view the decision in the case of CAPT. M. PAUL ANTHONY v. BHARAT GOLD MINES LTD. & ANR., 1999 (3) AISLJ 152 the petition had been dismissed.


As Ag

4

-3-

6. We find no error apparent on the face of the record. Review Petition must fail and is rejected in circulation.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

/NSN/