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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5217/2024

HARVINDER SINGH

..... Petitioner

Through: Dr.Ashwani Bhardwaj, Adv.

versus

COMMISSIONER OF POLICE AND ORS

..... Respondents

Through: Mrs.Avnish Ahlawat, SC, GNCTD
with Mr.Nitesh Kumar Singh, Ms.Laavanya
Kaushik & Ms.Aliza Alam, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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09.04.2024

1. The present writ petition under Article 226 of the Constitution of India seeks to assail the order dated 23.01.2020 passed by the learned Central Administrative Tribunal (Tribunal) in OA No.2633/2014. The petitioner also assails the order dated 08.08.2023 passed by the learned Tribunal in RA No.12/2022. Vide the impugned order, the learned Tribunal has rejected the petitioner's challenge to the inquiry report, penalty order as also the appellate order passed by the respondents.
2. Learned counsel for the petitioner, who, we may note, regularly appears before this Court, submits that even though he did not use any intemperate language before the learned Tribunal while arguing the review petition, since the learned Tribunal has made observations regarding his behavior, he tenders an unconditional apology and prays



that the petition be taken up for consideration on merits.

3. In light of the aforesaid explanation given by learned counsel for the petitioner, we proceed to examine the matter on merits.
4. Learned counsel for the petitioner submits that even though the petitioner had, in his OA, raised categoric grounds regarding non supply of the documents to him during the course of the inquiry as also non grant of opportunity to him to examine defence witnesses, the learned Tribunal has rejected his OA without even dealing with these aspects.
5. Issue notice. Learned counsel for the respondents accepts notice. She prays for and is granted six weeks time to file counter affidavit. Rejoinder thereto, if any, be filed within four weeks thereafter.
6. List on 19.09.2024.

REKHA PALLI, J

GIRISH KATHPALIA, J

APRIL 9, 2024

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