



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1133/2015

This the 16th Day of October, 2025

**Hon'ble Ms. Harvinder Kaur Oberoi, Member (J)
Hon'ble Dr. Sumeet Jerath, Member (A)**

Surender Kumar Mahur, Aged 30 years
Ex-Const. Delhi Police
S/o Late Bijender Singh,
R/o 1148, Bajar Paana,
Village Karala, Delhi.
Through his pairakar
Smt. Sonia
W/o Surender Kumar Mathur
R/o 1148, Bajar Paana,
Village Karala, Delhi.

....Applicant

(By Advocate : Mr. Ujwal Ghai)

VERSUS

1. Commissioner of Police,
Delhi Police,
PHQ, ITO
New Delhi.
2. Shri Vikramjit Singh,
Addl. Dy. Commissioner of Police,
Delhi Police,
Outer District, Delhi.
3. Joint Commissioner of Police,
Northern Range,
Delhi Police, Delhi.

.... RESPONDENTS

(By Advocate : Ms. Sangeeta Rani, Mr. Manvir Singh
(ASI, DP – Pairvi Officer)

**ORDER (ORAL)****Hon'ble Ms. Harvinder Kaur Oberoi, Member (J)**

The applicant has approached this Tribunal against the order dated 03.09.2014 passed in appeal. The relevant facts are that the applicant was serving as a Constable and was accused in an FIR No. 48/2009 dated 03.12.2009 u/s 302 IPC PS-Begumpur, Delhi. In the trial, the applicant was convicted on 18.01.2014. On receiving a copy of the conviction order, on 20.05.2014, the applicant was dismissed from service with immediate effect under Rule 11(1) of the Delhi Police (Punishment and Appeal) Rules. The applicant appealed against the dismissal order and the said appeal was also rejected on 03.09.2014. Hence, the present O.A. came to be filed.

2. In the criminal proceedings, the applicant preferred an appeal before the Hon'ble High Court. The Hon'ble High Court in CRLA.527/2019 vide its judgment dated 10.04.2023, was pleased to allow the said appeal and has acquitted the applicant, passing the following order :



34. *In view of the discussion aforesaid, it is evident that the prosecution has not been able to prove that the appellant committed the murder of deceased beyond reasonable doubt. Hence, the impugned judgment of conviction and order on sentence is set aside. The appellant is directed to be released forthwith if not required in any other case.*

3. Learned Counsel submits that the order passed by the Hon'ble High Court has since attained finality as the State has not preferred any challenge to the same till date. After the order of the Hon'ble High Court, the applicant submitted his representation on 24.04.2023 seeking re-instatement in terms of Rule 11(2) of the Delhi Police (Punishment and Appeal) Rules, 1980.

4. We are disheartened and dismayed to note that the said representation of the applicant has been rejected by an absolutely non-speaking and cryptic order, passed in a very casual and cavalier manner, referring to the representation as not maintainable. What was required was that the respondents ought to have considered the representation filed subsequent to the judgment of the Hon'ble High Court. The respondents were required to consider the judgment



as well as the representation and to take necessary steps in terms of in terms of Rule 11(2) of the Delhi Police (Punishment and Appeal) Rules, 1980. However, this was not done. We find that the concerned officer has failed in his duty to consider the representation and for some reason, decided to reject the same as being non-maintainable.

5. We are not appreciative of this decision and hence, quash the order dated 14.10.2024, passed by the DCP, Rohini. We further direct the competent authority amongst the respondents i.e. Joint Commissioner of Police, to take note of this and counsel the concerned DCP in this regard. The matter is remanded to the current concerned DCP to take a fresh look into the same considering the subsequent developments, including the judgment passed by the Hon'ble High Court, and decide the representation of the applicant and to pass a reasoned and speaking order within a period of four weeks.

6. The OA stands disposed of with the aforesaid directions. Pending MA, if any, also stands disposed of accordingly. No costs.

Item No. 56 (C-3)



7. Process **Dasti** as well.

(Dr. Sumeet Jerath)
Member (A)

(Harvinder Kaur Oberoi)
Member (J)

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