

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

(6)

O.A. NO.2424/2001

This the 21st day of February, 2002.

HON'BLE SHRI S.R.ADIGE, VICE-CHAIRMAN (A)

HON'BLE SHRI KULDIP SINGH, MEMBER (J)

Nawab Singh,  
Sub Inspector No.757/D,  
R/O Airport Police Lines,  
Mehram Nagar, Delhi.

... Applicant

( By Shri Mukesh Kumar Gupta, Advocate )

-versus-

1. Commissioner of Police, Delhi,  
Police Headquarters, IP Estate,  
New Delhi-110002.
2. Deputy Commissioner of Police,  
Police Control Room,  
Police Headquarters, IP Estate,  
New Delhi-110002.

... Respondents

( By Shri Harvir Singh, Advocate )

O R D E R (ORAL)

Hon'ble Shri S.R.Adige, VC(A) :

When respondents themselves, vide order dated 31.12.1998 (Annexure A-2), have quashed the disciplinary authority's order dated 7.6.1991 and the appellate authority's order dated 25.10.1991, and declared applicant entitled to all consequential benefits (emphasis supplied), respondents cannot legitimately deny applicant the arrears of pay and allowances for the period 29.5.1996 to 31.12.2000 on the rank of SI (Exe.), when the DPC found him fit for the same.

2. We are supported in this conclusion by the fact that applicant was both willing and available for promotion as SI (Exe.), and it is only because of the

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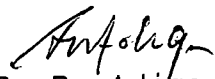
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penalty orders which were subsequently quashed, that he was not granted promotion.

3. Under the circumstances, the impugned order dated 4.12.2000 (Annexure A-1) to the extent that it denies applicant pay and allowances on the rank of SI (Exe.) for the period 29.5.1996 to 31.12.2000 is quashed and set aside. Respondents are directed to release applicant the arrears of pay and allowances for the aforesaid period within two months from the date of receipt of a copy of this order.

4. The OA is disposed of in the aforestated terms.  
No costs.

  
( Kuldip Singh )  
Member (J)

  
( S. R. Adige )  
Vice-Chairman (A)

/as/