

Central Administrative Tribunal, Principal Bench

O.A.No.2662/96

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 28th day of April, 1997

Shri Ajit Singh
S.I. No.1192/D
s/o Shri Khazan Singh
aged about 54 years
r/o North West Distt. Lines
Ashok Vihar
Delhi. Applicant

(By Shri Surinder Singh, Advocate)

..... Vs.

1. The Commissioner of Police
Police Headquarters
I.P.Estate, ITO
New Delhi - 110 002.
2. The Addl. Commissioner of Police
North Range
Delhi. Respondents

(By Shri Raj Singh, Advocate)

O R D E R(Oral)

The applicant was placed under suspension by the Deputy Commissioner of Police, North-West District, Delhi vide order dated 22.9.1993. The disciplinary proceedings were completed and the Enquiry Officer submitted his findings to the disciplinary authority. However, the orders of the competent authority have been kept in abeyance till the decision of the criminal case registered against the applicant. The applicant states that the order was issued on 7.12.1994, Annexure A-1 by which his subsistence allowance was reduced by 50% without giving him a show-cause notice. He has stated that even assuming that, without admitting, the finding of Enquiry Officer that the applicant was not co-operating with the enquiry is correct even then the subsistence allowance needed to a fresh review after he submitted a fresh representation to the Additional Commissioner of

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Police. He has therefore sought a direction to the respondents to consider his request for second review and enhance his subsistence allowance to 75% as per rules.

2. The respondents in their reply statement state that the earlier representations to review the subsistence allowance have been rejected. The Additional Commissioner of Police, North Range, Delhi in subsequent review accepted the representation and the subsistence allowance of the applicant has been increased further upto 75% vide office order No.862-71/HAP-NW(P-II) dated 3.2.1997.

3. A copy of the above mentioned order dated 3.2.1997 has been filed by the learned counsel for the respondents and the same has been taken on record. Since the main relief has been granted by the respondents, the present application has become infructuous and is accordingly disposed of. No costs.

R.K. Ahuja
(R.K. AHOUJA)
MEMBER(A)

/rao/