CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.972 of 1996

New Delhi, this the 6th day of January, 2000

HON'BLE MR.S.R. ADIGE, VICE CHAIRMAN(A)
HON'BLE MR.KULDIP SINGH,MEMBER(JUDL)

Shri Krishan Pal S/o Late Shri Samey Singh
R/o Room No.4, Police Station Samepur Badli,
Delhi (North West District, Delhi)   -APPLICANT

(By Advocate: Shri R.K. Sharma)

                    Versus

1.   The Commissioner of Police,
         Delhi Police Headquarters, M.S.O. Building,
         I.P. Estate, New Delhi.

2.   Dy. Commissioner of Police (Headquarter-I),
         Delhi Police Headquarters, MSO Building,
         I.P. Estate,New Delhi.   -RESPONDENTS

By Advocate: Shri S.K. Gupta.
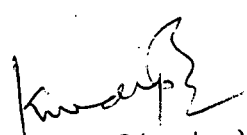
                 O R D E R (ORAL)

By Hon'ble Sh. S.R. Adige, Vice Chairman (A)

1.   Heard both the learned counsel.

2.   Applicant's counsel Shri R.K. Sharma has very
fairly submitted that the only surviving grievance of the
applicant is regarding grant of arrears of pay and
allowances consequent to *applicant* promotion as Assistant
Sub-Inspector of Police w.e.f. 16.5.95.

3.   It is not denied that applicant was not
promoted for no fault of his, and despite being available
and willing to be promoted, the respondents did not
promote him because the applicant's name was entered in
the list of persons of doubtful integrity, which was
subsequently withdrawn from a back date.

4.   In a case such as this, we are satisfied that
the Hon'ble Supreme Court's ruling in the case of U.O.I.

Vs. K.V. Jankiraman. 1991 (4) SCC 109 would be fully applicable, and respondents cannot deny the applicant the arrears of pay and allowances, on the principle of "no work no pay," *or* by applying FR 17(1).

5.   In the circumstances, the OA is disposed of with a direction to the respondents to pay the applicant the arrears of pay and allowances as Assistant Sub-Inspector of Police w.e.f. 16.5.95, after deducting such sums as *have been* already paid to him. These directions should be implemented within 3 months from the date of receipt of a copy of this order. No costs.

(Kuldip Singh)
Member(J)

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

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