

Central Administrative Tribunal
Principal Bench

C.P. No. 295 of 2001
in
O.A. No. 2199 of 1997

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New Delhi, dated this the 6th November, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Om Prakash Meena,
S/o R.S. Meena,
R/o House No. 137, Pocket 20,
Block-E, Sector 3, Rohini,
New Delhi-110085. .. Petitioner

(By Advocate: Shri S.K. Gupta)

. Versus

1. Shri Kamal Pandey,
Secretary,
Ministry of Home Affairs,
North Block,
New Delhi.
2. Shri Ajay Raj Sharma,
Commissioner of Police,
Delhi Police Headquarters,
M.S.O. Building,
New Delhi-110002. .. Respondents

(By Advocate: Shri Harvir Singh)

ORDER (Oral)

S.R. ADIGE, VC (A)

Heard both sides on C.P. No. 295/2001
alleging contumacious disobedience and non-compliance
of the Tribunal's order dated 25.9.2000 in O.A. No.
2199/97.

2. By the Tribunal's aforesaid order dated
25.9.2000, the O.A. had been allowed and Respondents
had been directed to hold a review DPC and consider
applicant's case for empanelment to promotion list
'F' (Executive) w.e.f. different dates and if he was
found fit for promotion to the post of Inspector on

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no

any of the aforesaid dates, he was to be promoted on any of the aforesaid date with all consequential benefits.

3. It is not denied that by respondents' orders dated 21.8.2001 notionally applicant has been promoted as Inspector w.e.f. 26.5.92 and has been granted proforma promotion to the rank of Inspector w.e.f. 28.5.92 to ~~27.12.98~~ 27.12.98. He is now claiming the arrears of difference of pay and allowances for the period 26.5.92 till 26.12.98 as a consequential benefit.

4. We note that in a very similar case a coordinate Division Bench of the Tribunal in its order dated 5.10.2001 in C.P. No. 281/2001 arising out of O.A.No. 2407/1995, had held that applicant to be entitled to arrears of difference of pay and allowances as a consequential benefits.

5. We see no good reason to take a different view in the present case and under the circumstances, in the light of the reasoning adopted in aforesaid order dated 5.10.2001, we are compelled to hold that the Tribunal's order dated 25.9.2000, has not been implemented in right earnest and spirit, because respondents have denied applicant the arrears of difference of pay and allowances for the period from 26.5.92 to 26.12.98.

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6. Respondents' counsel assures us that necessary payments will be made to applicant within four weeks from today. Accordingly we drop the present C.P. and discharge notices on the clear understanding that if it is brought to our notice that Respondents' counsel's assurance has not been complied with within the time prayed for by him, we shall be compelled to summon the concerned officials to explain their conduct.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

karthik

S.R. Adige

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