

(12) (67)  
Central Administrative Tribunal  
Principal Bench: New Delhi

O.A. No. 1298/97

New Delhi this the 16th day of November 1998

Hon'ble Shri S.R. Adige, Vice-Chairman (A)  
Hon'ble Dr. A. Vedavalli, Member (J)

Sub-Inspector Tahir Ali Khan Tyagi  
No. D-1636, S/o Shri Zahoor Ahmed Tyagi,  
aged about 44 years, R/o H. No. 279,  
Gali No. 19, Vijay Park, Mauz Pur,  
Delhi-53.

.....Applicant  
(By Advocate: Shri Shankar Raju)

Versus

Union of India  
Through its Secretary,  
Ministry of Home Affairs,  
New Delhi.

2. Commissioner of Police,  
Police Head Quarters, I.P. Estate,  
M.S.O. Building,  
New Delhi.

.....Respondents  
(By Advocate: Shri Ajesh Luthra, proxy counsel  
for Ms. Jyotsna Kaushik)

ORDER (Oral)

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

Heard both sides.

2. The only relief prayed for by applicant's counsel Shri Shankar Raju is for removal of applicant's name from the secret list of persons of doubtful integrity w.e.f the date his name was actually brought on to the list, and not from 27.2.96 which was the date he was acquitted by the trial court in case No. FIR No. 31/92, as ordered by the respondents vide order dated 24.9.96, a copy of which is taken on record. In this connection Shri Shankar Raju relies upon the Tribunal's order dated 18.8.98 in O.A. No. 827/98 W/ASI Sujata Vs. U.O.I. & Others a copy of which is

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taken on record, wherein it has been held that respondents having decided to remove applicant's name from the Secret List, <sup>the</sup> necessary consequence would be to remove his name from that list w.e.f. the date that applicant was brought on to the List. We are satisfied that the ratio of the aforesaid judgment is fully applicable to the ratio of the facts and circumstances of the present case.

3. Accordingly the order dated 24.9.96 shall stand modified to this extent that applicant's name will be deemed to have been removed from the Secret List w.e.f. the date his name was brought on to the List and he will be entitled to such consequential benefits in accordance with rules and instructions as are admissible to him, resulting from the removal of his name from the Secret List w.e.f. the afore mentioned date.

4. We order accordingly. No costs.

A. Vedavalli  
(Dr. A. Vedavalli)

Member (J)

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

/GK/