

Central Administrative Tribunal Principal Bench

C.P. No.80 of 2001

-IN

O.A. No. 159 of 1996

New Delhi, this the day of 16th May, 2001.

HON'BLE MR. V.K. MAJOTRA, MEMBER(A)

HON'BLE MR. SHANKER RAJU, MEMBER(J)

Krishan Kumar,

No.504/H,

S/o Sh.Surat Singh,

R/o H.No.209/C-181,

Delhi.

...Petitioner

(By Advocate: Shri Bhaskar Bhardwaj

proxy of Shri Arun Bhardwaj)

Versus

1. Shri P.Nanda,

Dy.Commissioner of Police,

H.Qtrs.,(Estt.) Delhi,

Police Headquarters,

M.S.O.Building,

New Delhi.

2. Shri Ajay Raj Sharma

Commissioner of Police

Police Head Quarter

New Delhi.

...Respondents

(By advocate: Shri Ajesh Luthra)

ORDER (Oral)

By Shri V.K. Majotra, Member(A).

Heard learned counsel of both sides.

2. Learned counsel for the petitioner states that OA 159/1996 was disposed of vide order dated 11.11.1996 with the following directions to the respondents:-

9. The OA, therefore, succeeds and we direct the respondents to include the name of the applicant in the 'C' list dated 24.9.94 for promotion to the post of Head Constable and the applicant should be considered for promotion with effect from the date when his juniors have been promoted to the post of Head Constable with all consequential benefits. No costs.

3. The respondents promoted the applicant in the rank of officiating Head Constable(Executive) w.e.f. 24.9.1994 and have accorded him proforma promotion for

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the period from 24.9.1994 to 8.3.2001 and did accord him all benefits excepting monetary benefits in terms of Tribunal's order dated 30th April, 200~~0~~¹.1/2

4. We do not agree with the contention of the respondents that the Court had not granted the applicant difference of salary in its order. Respondent No.1 Shri P. Nanda, DCP was directed to be present on the next date of hearing, i.e. today. He is present in the Court. Shri Ajesh Luthra, learned counsel for the respondents has filed a copy of order dated 15.5.2001 whereby not only that the applicant has been granted proforma promotion as officiating Head Constable(Executive) for the period of 24.9.1994 to 8.3.2001, he has also been allowed to draw the arrears of pay and allowances of the post of Head Constable(Executive) for the period of proforma promotion after adjusting the sums already paid to him. We have carefully considered the counter submitted by the respondents in which the respondents have tendered their sincere and unconditional apology and explained delay caused in implementing the orders.

5. In view of the final order dated 15.5.2001, granting proforma promotion to the applicant alongwith sanction of arrears of pay and allowances for the period of proforma promotion and unconditional apology tendered by the respondent no.1, who is present in person in the Court, however, we direct the respondents to effect the payment of arrears of pay and allowances of the post of Head Constable(Executive) for the period

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of proforma promotion, after adjusting sums already paid for the period of 24.4.1994 within a period of 15 days from today. CP is accordingly dismissed. Notices issued against the respondents under the provisions of Contempt of Courts Act are discharged. No costs.

S. Raju
(Shanker Raju)
Member(J)

/kedar/

V.K. Majotra
(V.K. Majotra)
Member(A)