

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1201/2000

Monday, this the 12th day of February, 2001

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRI S.A.T. RIZVI, MEMBER (ADMN)

Asstt. Sub-Inspector (Ex) Abdul Waqim
No.2079/D,
S/O Late Shri Abdul Hamid Khan,
aged 45 years, Presently posted at Traffic RND,
R/O A-388, PTS, Police Colony Malviya Nagar,
New Delhi.

..Applicant.

(By Advocate: Shri Rajeev Kumar)

VERSUS

1. Union of India
Through Its Secretary,
Ministry of Home Affairs,
North Block, New Delhi.
2. Addl. Commissioner of Police,
Establishment,
Police Head Quarters, I.P.Estate,
MSO Building, New Delhi.
3. Dy. Commissioner of Police,
Vigilance, Police Head Quarters,
IP Estate, New Delhi.

...Respondents.

(By Advocate: Shri Ajesh Luthra)

O R D E R (ORAL)

By Hon'ble Shri S.A.T. Rizvi, M (A):

The name of the applicant, who is an Asstt. Sub-Inspector, was placed in the secret list in 1988 on the ground that his integrity was found to be doubtful having regard to the fact that a prosecution under the Prevention of Corruption Act had been instituted against him. Subsequently, he was acquitted by the Special Court in the aforesaid criminal case by an order dated 11.6.1998. Thereafter his name was removed from the aforesaid secret list with effect from the date of acquittal, i.e., from 11.6.1998. The applicant's case for promotion which had earlier been placed in the sealed

(2)

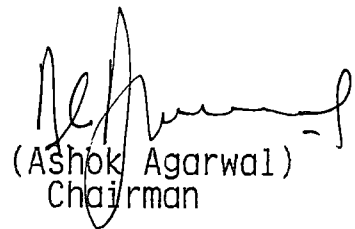
envelop, was reviewed. It was found, on opening the sealed cover, that he had been adjudged unfit by the DPC in meetings held in the year 1988, on 16.3.1995 and thereafter on 3.3.1997. In view of this position, the applicant's claim for promotion with effect from the aforesaid dates occurring in 1988, 1995 or in 1997 is found to be untenable and is rejected. In the circumstances, contrary to the learned counsel's plea, there is no need for us to go into the nature of acquittal given by the Special Court in order to see whether the same was honourable or otherwise. We have noted that the applicant has been promoted nevertheless some time in the year 2000 in his turn and in accordance with the relevant rules.

2. Present OA is accordingly dismissed in the aforestated terms. No costs.



(S.A.T. Rizvi)
Member (A)

/sunil/


(Ashok Agarwal)
Chairman