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CENTRAL ADMINISTRATIVE TRIBUNAL ---
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2206/2000
M.A.No.469/2001

Thursday, this the 19th day of April, 2001

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri Nawab Singh
Asstt. Sub Inspector No.757/D,
R/O Airport Police Lines,
Mehram Nagar, Delhi.

..Applicant

(By Advocate: Shri M.K.Gupta)

VERSUS

1. The Commissioner of Police, Delhi
Police Headquarters,
IP Estate, New Delhi-110 002.

2. Addl. Commissioner of Police (Establishment),
Police Headquarters,
I.P.Estate, New Delhi-110 002.

..Respondents

(By Advocate: Shri R.K.Dhillon)

O R D E R (ORAL)

By Hon'ble Justice Shri Ashok Agarwal, Chairman:

The claim made by the applicant in the present OA is reflected in the interim order passed on 24.10.2000 which provides as under:-

"Name of the applicant was included in the promotion list E-II(Ex.) w.e.f. 28.5.1996 vide notification dated 10.5.2000. His claim for promotion, however, is not being considered w.e.f. 28.5.1996 in view of his name having been included in a secret list of officers of doubtful integrity some time in 1999. According to applicant his claim for promotion in a vacancy arising in 1996 cannot be defeated by a subsequent event which has taken place later in 1997 pursuant to which his name has been included in the secret list of officers of doubtful integrity some time in 1999."

2. Pending the OA, applicant has been granted promotion to the post of Sub Inspector (Ex.) w.e.f.

(6)

(2)

4.12.2000, by an order passed on 4.12.2000, The same is sought to be impugned by instituting MA-469/2001 on the ground that the promotion granted is on ~~promotional~~ ^{pro forma} basis for the period from 29.5.1996 to 3.12.2000. During which period, applicant has been held ineligible to draw pay and allowances for the rank of SI. In our view, aforesaid order, insofar as it denies pay and allowances during the aforesaid period, cannot validly be impugned by filing MA. Since the claim made in the OA has been granted at least substantially, nothing now survives in the OA. The same is accordingly disposed of with no order as to costs.

3. As far as MA-469/2001 is concerned, liberty is granted to convert the same into regular OA.

S.A.T. Rizvi

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

Ashok Agarwal

(Ashok Agarwal)
Chairman

/sunil/