

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00244/2020

Date of Order: This, the 18th day of November 2020

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)



Sri Mridul Kumar Dutta, IPS
S/o Lt. P.N. Dutta
R/o – Kahilipara, House No. 1
P.O. – Kahilipara, P.S. – Dispur
District – Kamrup (M), Assam
Presently holding the post of
Assistant Inspector General of Police
(Armed Police, Assam, Ulubari, Guwahati.

...Applicant

By Advocates: Sri J.I. Borbhuiya, Smt. Farida Begum
and Sri Lohit Mohan

-Versus-

1. The Union of India
Through the Secretary
To the Government of India
Ministry of Home Affairs
North Block, New Delhi – 110001.

2. The State of Assam
Represented by the Chief Secretary
To the Government of Assam
Dispur, Guwahati – 6.
3. The Commissioner and Secretary
To the Govt. of Assam
Home and Political Department
Dispur, Guwahati – 6.
4. The Director General of Police
Assam, Ulubari, Guwahati – 7.

...Respondents.



ORDER (ORAL)

MANJULA DAS, MEMBER (J)

This matter has been taken up through video conferencing.

2. By this O.A., applicant prays the following reliefs:-

“8(i) This Honourable Tribunal may be graciously pleased to direct the respondents authority to provide retrospective promotion of the applicant to the Selection Grade of IPS, in Level 13 in the pay matrix w.e.f. 1/1/2017 at par juniors/batch mates giving retrospective effect with all consequential reliefs thereon.



8.(ii) This Honourable Tribunal may be graciously pleased to direct the respondents authority to provide retrospective promotion to the applicant to the grade of Super Time Scale-I of IPS in the rank of Deputy Inspector General of Police in Level 13 A of pay matrix w.e.f. the date on which the junior batch mates of the applicant have given promotion vide Notification dated 10/5/2018 giving retrospective effect with all consequential reliefs thereon.

8.(iii) This Honourable Tribunal may also be graciously pleased to declare and hold that the applicant is eligible to get retrospective promotion to the Selection Grade of IPS, in Level 13 in the pay matrix w.e.f. 1/1/2017 at par juniors/batch mates as well as eligible to be promoted to the grade of Super Time Scale-I of IPS in the rank of Deputy Inspector General of Police in Level 13 A of pay matrix w.e.f. 1/1/2018, on the date on which date the junior batch mates of the applicant have given promotion vide Notification dated 10/5/2018 along with all consequential benefits with retrospective effect thereon.

8.(iv) This Honourable Tribunal may be graciously pleased to direct the respondents authority to forthwith promote the applicant to grade of Super Time Scale-I of IPS in the rank of Deputy Inspector General of Police in Level 13 A of pay matrix w.e.f. 1/1/2018 at per junior batch mates, on which date the junior batch mates of the applicant have given promotion i.e. Notification dated 10/5/2018.

-AND-

8.(v) This Honourable Tribunal may also be pleased to grant such other relief/reliefs to which the applicant may be found to be eligible apart from all the consequential benefits thereof."

2. Heard Sri J.I. Borbhuiya, learned counsel for the applicant. Perused the pleadings and all the documents annexed there with the OA.

3. On being query made by this Tribunal, learned counsel for the applicant admitted that before approaching this Tribunal, the applicant did not represent before the competent authority for redressal of his grievance.



4. In view of the above facts and as agreed to by the learned counsel for the applicant as well as without going in to the merit of the case, it is hereby directed the applicant to redress his grievance by way of making representation before the competent authority within a period of 10 days from today. On receipt of such, the competent authority, before whom the representation is proposed to be submitted, shall consider the same and dispose of it and pass a

reasoned and speaking order within a period of 30 days thereafter.

5. It is made clear that whatever decision to be passed by the competent authority, shall be communicated to the applicant forthwith.

6. With the above directions, O.A. stands disposed of at the admission stage.



7. There shall be no order as to costs.

(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

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