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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No. 197/2004 in
O.A. No. 1292/2004

New Delhi. this the *9th* day of July, 2004

HON BLE SHRI JUSTICE V. S. AGGARWAL, CHAIRMAN
HON BLE SHRI R.K. UPADHYAYA, MEMBER (A)

Narendra Singh & Ors. Applicants
(As per the memo. of parties).

(By Advocate: Sh. K.C. Mittal)

Versus

1. Shri Anil Baijal
Union Home Secretary
Ministry of Home Affairs
Central Sectt., North Block
New Delhi.
2. Shri K.K. Paul
Commissioner of Police
Police Head Quarters
I.P. Extension
I.T.O., New Delhi.
3. Shri R.P. Singh
Joint Commissioner of Police
Establishment (Estt)
Police Head Quarters
I.P. Extension
I.T.O., New Delhi.
4. Shri P. Dass
Dy. Commissioner of Police
3rd Battalion D.A.P.
5. Shri L.S. Sandhu
Dy. Commissioner of Police
4th Battalion D.A.P.
6. Shri P. Dass
Dy. Commissioner of Police
6th Battalion D.A.P.
7. Shri David Lal Rilsaiga
Dy. Commissioner of Police
7th Battalion D.A.P. Respondents

(By Advocate: Sh. Ajesh Luthra)

O R D E R

Justice V.S. Aggarwal:-

Applicants plead that they had filed OA 1292/2004. Therein the operation of the impugned order of the alleged repatriation had been stayed. It



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has been asserted that all the applicants in the above said OA are entitled to continue on duty. Out of the 83 applicants, 5 constables in 3rd Battalion, 1 constable in 4th Battalion, 20 constables in 6th Battalion and 12 constables in 7th Battalion have not been paid their salaries and not allowed to discharge their duties while others have been allowed to continue.

2. It is further asserted that respondents are adopting the policy of pick and choose and they have been deliberately flouting and disobeying the orders of the Court. The applicants have not deposited the belongings in Delhi Police.

3. Notice had been issued and in the reply filed by Respondents 2 and 3, it has been asserted that most of the applicants in the OA stood relieved prior to the issue of the interim order. In cases where the impugned orders had not been effected by the time of service of the interim order, those persons have been allowed to continue. There may be instances where after having been relieved, some of the deputationists have been later allowed to continue on a misplaced interpretation of the interim orders. Those persons who have been relieved are not entitled to the salary.

4. After hearing the parties' counsel, we are of the opinion that in the application itself, the names of the persons who have not been paid their salary or who have been relieved in violation of the directions of this Tribunal, after the order was


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issued, have not specifically been mentioned. Only certain Battalion names and number of Constables have been given. Specific allegations should have been made before specific reply should be called and conclusions arrived at. Therefore, as for present, keeping in view the vague assertions, rule nisi is discharged with liberty to the applicants, if so advised, to file a proper application. C.P. is accordingly dismissed.



(R.K. Upadhyaya)
Member (A)



(V.S. Aggarwal)
Chairman

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