

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

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O.A.77/92

DATE OF DECISION: 11.1.93

Ram Chander

..Applicant.

Versus

C.P. Delhi &

others

..Respondents.

Sh.A.S.Grewal

..Counsel for the applicant.

Sh.Surender Adleka

..Counsel for the respondents.

CORAM:

The Hon'ble Sh.Justice Ram Pal Singh, Vice
Chairman(J)

The Hon'ble Sh.I.K.Rasgotra, Member(A)

J U D G E M E N T (ORAL)

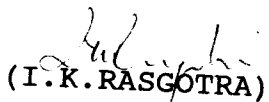
This O.A. has been filed by the petitioner against the non-payment of his salary and wages consequent to his promotion as Assistant Sub Inspector and Sub-Inspector retrospectively on account of the setting aside of the penalty order imposing penalty of reduction to the post of a Constable from that of Head Constable. Consequent to this order the petitioner has been promoted as Head Constable, Assistant Sub-Inspector and Sub-Inspector from the dates on which such promotion fell due, keeping in view the promotion of his next juniors.

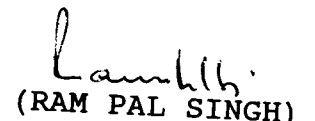
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The grievance of the petitioner is that his pay has been fixed only notionally in the grade of A.S.I. and S.I, and, that he has not been allowed the financial benefit from the due dates. As the jurisdiction of the Tribunal starts from 1.11.82, we suggested to the learned counsel for the petitioner, if he would be satisfied if the financial benefits are allowed to the petitioner in the post of A.S.I. and S.I. w.e.f. 1.11.82. Both the learned counsel for the petitioner and learned counsel for the respondents agreed to our suggestion. The petitioner has been given proforma promotion from 4.1.79 and 26.9.86. However financial benefit has been given to the petitioner w.e.f. 8.2.90 in the rank of A.S.I. The Tribunal, in its judgement, of which this petition is an offshoot while quashing the relevant orders of the respondents allowed the consequential benefits to the petitioner. A careful consideration of the O.A., however, indicates that Tribunal cannot go beyond the date from which its jurisdiction starts.

2. Accordingly, we order and direct the respondents to accord the petitioner the financial benefits of promotion w.e.f. 1.11.82 in the rank of Assistant Sub Inspector and as Sub-Inspector from the date he was promoted as S.I. The O.A. is disposed of as above with no order as to costs.


(I.K. RASGOTRA)
MEMBER (A)


(RAM PAL SINGH)
VICE CHAIRMAN (J)