



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No.88/2021
MA No.2558/2021**

This the 15th day of September, 2021

Through Video Conferencing

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Balmukund Rai,
Aged about 38 years,
S/o Sh.A.K. Rai,
R/o B-8, Ground Floor,
Todapur Traffic Police Colony,
Delhi-110012
Sub-Inspector (Exe.), Group 'C'.

...Applicant

(By Advocate: Shri Sachin Chauhan)

Versus

1. Govt. of NCTD
Through its Chief Secretary,
Delhi Secretariat,
New Delhi.
2. Commissioner of Police,
Police Head Quarter,
Jai Singh Road,
New Delhi-110001.
3. Joint Commissioner of Police,
PHQ, I.P. Estate,
New Delhi.
3. Deputy Commissioner of Police
Establishment
PHQ, I.P. Estate,
New Delhi.
4. Deputy Commissioner of Police,
Security Unit,
Vinay Marg, Delhi.

... Respondents

(By Advocate : Shri Amit Yadav)



ORDER (ORAL)

Hon'ble Mr. R.N.Singh, Member (J) :-

The present OA has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, praying therein for the following relief(s):-

“8.1. *To set aside the order dated 3rd of November 2020 and to further direct the respondents to consider the applicant for CONFIRMATION and to further pass an specific order for confirmation in the rank of SUB INSPECTOR and to further fix the seniority of the applicant at par with his batchmates with all consequential benefits.*

8.2. *To set aside the clause 6 of circular dated 20.02.1998 as the same is contrary and ultra vires to rule 18 of Delhi police promotion and confirmation rules. impugned order dated*

And/or

Any other relief which this Hon'ble Court deems fit and proper may also awarded to the applicant.”

2. During the pendency of the OA, the MA No.2558/2021 has been filed by the respondents praying therein for the following relief(s) :-

“(i) *dispose of the O.A. as having become infructuous in view of the order dated 05/03/2021;*

“(ii) *any further order(s), direction(s) as be deemed just and proper to meet the ends of justice.”*



3. It is not in dispute that during the pendency of the OA, the respondents have accorded the benefit of confirmation to the applicant in the rank of Sub Inspector w.e.f. 08.08.2010. The only grievance that remains is that the respondents have not accorded the consequential benefits, arising out of the order of the respondents themselves for confirmation of the applicant in the rank of Sub Inspector w.e.f. 08.08.2010.
4. In the facts and circumstances, the present OA and MA both are disposed of, with a direction to the respondents to consider grant of the consequential benefits to the applicant, as admissible to him, under the relevant rules and as accorded to the similarly placed persons, by passing a reasoned and speaking order, as expeditiously as possible, and in any case within eight weeks from the date of receipt of a copy of this order.
5. In the aforesaid terms, OA and MA are disposed of.

There shall be no order as to costs.

(R.N. Singh)
Member (J)

/rk/daya/arti/

(A.K. Bishnoi)
Member (A)