

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 133 of 1996

Tuesday, this the 10th day of February, 1998

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

1. Dr. P.J. Alexander, IPS
S/o (Late) P.O. Alexander Muthalali,
Director General of Police (Retired),
residing at 'Kripa', Belhavan Gardens,
Kawadiar, Trivandrum - 695 003 .. Applicant

By Advocate Mr. M.R. Rajendran Nair

Versus

1. The State of Kerala represented by
Chief Secretary,
Government of Kerala, Trivandrum.

2. Union of India represented by
Secretary to Government,
Ministry of Home Affairs,
Secretariate, New Delhi. .. Respondents

By Advocates Mr. C.T. Ravikumar, GP (R1) and
Mr. T.P.M. Ibrahim Khan, SCGSC (R2)

The application having been heard on 10-2-1998, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A-7 dated 13-3-1995, to
declare that he is entitled to get his promotion to the
post of Director General of Police preponed to 1-5-1993 or
at least to 12-8-1993, and to direct the respondents to
prepone the date of his promotion to the post of Director
General of Police to 1-5-1993 or at least to 12-8-1993 with
all consequential benefits.

2. When the OA came up for hearing, learned counsel for
the applicant and the learned counsel for the 1st respondent

contd...2.

submitted that the Government as per order dated 28-1-1998 ordered promotion of the applicant to the grade of Director General and Inspector General of Police with effect from 1-5-1993 notionally without any back arrears.

3. So, the main grievance of the applicant sought in the OA is no longer now in existence. The only question that survives is that whether he is entitled to consequential benefits.

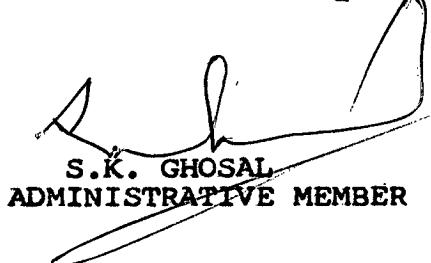
4. Copy of the order dated 28-1-1998 is made available for our perusal and there it is stated that promotion to the grade of Director General and Inspector General of Police with effect from 1-5-1993 is notional without any back arrears.

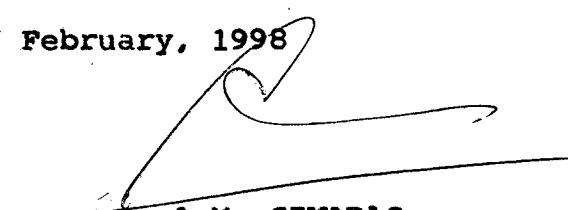
5. The learned counsel for the applicant submitted that the 1st respondent may be directed to reconsider the question whether the applicant is entitled to arrears with effect from 1-5-1993. No reason is stated in the order dated 28-1-1998 passed by the 1st respondent for refusing arrears.

6. The applicant is permitted to submit a representation to the 1st respondent within two weeks from today as to his claim for arrears with effect from 1-5-1993. If such a representation is received, the 1st respondent shall consider the same and dispose it of by a speaking order within three months from the date of receipt of the same.

7. The original application is disposed of as above. No costs.

Dated the 10th of February, 1998


S.K. GHOSAL
ADMINISTRATIVE MEMBER


A.M. SIVADAS
JUDICIAL MEMBER

LIST OF ANNEXURE

1. Annexure A7: Order No.87172/Spl.D1/93/GAD dated 13.3.1995 issued by Ist respondent to the applicant.

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