

**Central Administrative Tribunal
Principal Bench**

OA No.1440/2016

New Delhi, this the 26th day of April, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. Sudhir Kumar, Member (A)**

Yashbir Singh, ASI
Aged 49 years,
S/o Sh. Mandir Singh
R/o H-211, Budh Vidhar,
Phase-I, Pooth Kalan,
Delhi. Applicant.

(By Advocate: Shri Sachin Chauhan)

Versus

1. Govt. of NCTD through
The Chief Secretary,
Govt. of NCTD,
A-Wing, 5th Floor,
Delhi Secretariat,
New Delhi 110 113.
2. The Commissioner of Police
Delhi Police,
Police Headquarters, IP Estate,
New Delhi.
3. The Dy. Commissioner of Police,
North District through
The Commissioner of Police,
Delhi Police,
Police Headquarters, IP Estate,
New Delhi. Respondents.

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman:

Heard.

2. Issue notice to the respondents. Mrs. Pratima Gupta, learned counsel appeared and accepted notice on behalf of the respondents.
3. The short grievance of the applicant is that he has not been granted the benefit of pay fixation in accordance with Fifth Pay Commission w.e.f. 01.01.1996 on account of non-exercise of option.

4. Learned counsel for the applicant submits that the controversy in the present Application is squarely covered by various judgments of this Tribunal including the latest judgment dated 28.08.2015 passed in OA No.3141/2012. The applicant has also made a representation dated 16.02.2016 (Annexure A-1), which has not been responded to.

5. Keeping in view the facts and circumstances of the case, this Application is being disposed of at the admission stage itself without insisting for the counter. The respondents are directed to consider the claim of the applicant as projected in the representation dated 16.02.2016 and take a final decision in the light of the judgment dated 28.08.2015 passed in OA No.3141/2012 within a period of two months. Needless to say that in the event claim of the applicant is to be rejected, the same shall be by passing a reasoned and speaking order. Suffice it to say that the applicant shall have the liberty to approach the appropriate forum if his representation is rejected.

(Sudhir Kumar)
Member (A)

(Justice Permod Kohli)
Chairman

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