

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.35/2018.

Date of Decision: 07.02.2018.

CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)
HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)

Shri. Anand Mandya, IPS,
Aged 57 yrs, Serving as DCP Security,
Mumbai, residing at
European Police Officers Quarters,
VP Road Police station, Compound,
Girgaon, Mumbai 400004.

... ***Applicant***

(Advocate by Shri R.G. Panchal)

Versus

1. The State of Maharashtra,
Through Addl. Chief Secretary,
Home Department Mantralaya,
Mumbai 400032.

2. The Director General of Police,
State of Maharashtra, office at
Old Council Hall, Maharashtra,
State Police Headquarters,
Shahid Bhagat Singh Marg,
Colaba, Mumbai 400001.

3. The Commissioner of Police,
CP Office, Crawford Market,
Mumbai.

4. Union of India,
Through Secretary,
Ministry of Home Affairs
Govt. of India, South Block,
New Delhi 110010.

... ***Respondents***

ORDER (Oral)

Per : Shri A.J. Rohee, Member (J)

Today when the matter is called out
for admission, heard Shri R.G. Panchal

learned Advocate for the Applicant. We have carefully perused the case record.

2. The Applicant is presently working as Deputy Commissioner of Police (Security), Mumbai under Respondent No.3. In this OA, he has grievance regarding non-payment of House Rent Allowance, Pay for holding additional charge, payment of Telephone & Newspaper bills, Uniform allowances and the following reliefs are sought;

“8.a) This Hon'ble Tribunal be pleased to pass an order directing the Respondents to take decision on the applicant's representation received by office of 1st Respondent on 16.02.2017, regarding non-release of applicant's HRA from 1999 to October 2012, allowances for holding additional charges of another SP/DCP SPCR, from 2009 to 2012, for almost three years from June 2009 to June 2012, allowances (notional) for holding additional charges as DIGP SRPF Hqrs. (& once as DIGP PCR), for a continuous period from November 2010 to December 2011, & other intervening periods from February 2012 to June 2012, 'Telephone & Newspaper' allowances from about June 2008 to June 2012, Uniform allowances from 1996 till date, pending salary for the months of February 1998 & August 1998, increments for the year 1998 to 2003, pay for the period 14th June 1986 to 24th November, 1986.

(b) This Hon'ble Tribunal be further pleased to direct the respondents to pay the interest on the dues payable to the applicant and recover the same from the officers who are found responsible for non-payment thereof,

(c) Application may kindly be allowed with compensatory cost as is done by this Hon'ble Tribunal in several OAs.

(d) This Hon'ble Tribunal be pleased to grant any such other relief as may be deemed fit in the facts and circumstances of the present case."

3. It is submitted by learned Advocate for the applicant that he made a representation (Annexure B) dated Nil addressed to the Additional Chief Secretary (Home), Govt. of Maharashtra Mumbai, although he is working under Respondent No.3. A limited prayer is made by learned Advocate that appropriate directions may be issued in the matter towards redressal of the grievance

4. Since specific representation is not submitted by the applicant to the Head of the Department i.e. Commissioner of Police, Mumbai (Respondent No.3), the OA stands disposed of granting liberty to the applicant to forward a detailed representation to the Respondent No.3 in respect of his grievances by annexing copies of relevant documents and record with it, within a period of four weeks from today.

5. On such representation being made, the Respondent No.3 is directed to consider it within a period of eight weeks there from

and pass a reasoned and speaking order, in accordance with law.

6. The order so passed shall then be communicated to the applicant at the earliest, who will be at liberty to approach the appropriate forum, in case his grievance still persists.

7. The OA stands disposed of with the aforesaid directions at the admission stage, without issuing notice to the respondents or without making any comments on merits of the claim and keeping the legal plea of limitation open.

8. Registry is directed to forward certified copy of this order to both the parties at the earliest.

(R. Vijaykumar)
Member (A)

(A.J. Rohee)
Member (J)

dm.