

Central Administrative Tribunal Principal Bench, New Delhi

C.P. No.274/2019 in O.A. No.471/2016

Monday, this the 14th day of October 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

ACP Mahipal Singh
Retired DANIPS (Grade I) Officer/Assistant Commissioner of
Police
s/o late Shri Kamal Singh
r/o T-21 (2nd Floor)
Green Park, New Delhi

..Applicant

(Mr. Sourabh Ahuja, Advocate)

Versus

1. Mr. Deepak Kumar
Chief Secretary,
GNCT of Delhi
Delhi Sachivalaya
IP Estate, New Delhi – 2
2. Mr. Praveen Kumar Srivastava
Joint Secretary (UT)
Ministry of Home Affairs
Union of India
North Block, New Delhi
3. Mr. Amulya Patnaik
Commissioner of Police (Delhi Police)
Police Head Quarters
IP Estate, MSO Building
New Delhi

..Respondents

(Mr. Amit Anand and Mr. Hanu Bhasker, Advocates)

O R D E R (O R A L)**Justice L. Narasimha Reddy:**

The petitioners filed O.A. No.471/2016 challenging the charge memorandum dated 03.01.2013 and order dated 22.06.2015 passed by the Chief Secretary of Govt. of NCT of Delhi. The O.A. was allowed, through an order dated 08.02.2019. It was directed that since the applicant retired from service, his retirement benefits shall be re-worked and released to him. It is stated that W.P. (C) No.8138/2019 filed by the respondents against the order in O.A., was dismissed on 29.07.2019. This contempt case is filed alleging that the respondents did not implement the order passed in the O.A.

2. We heard Mr. Sourabh Ahuja, learned counsel for applicant, and Mr. Amit Anand and Mr. Hanu Bhasker, learned counsel for respondents.

3. Notice was ordered in the contempt case on 31.05.2019. Thereafter, the contempt case has undergone several adjournments. Learned counsel for respondents has placed before us, a copy of the order dated 10.10.2019, through which a sum of ₹14,04,150/- was released to the applicant towards gratuity. It is also stated that the applicant is being paid the provisional pension on account of disciplinary proceedings and

in view of the order passed in the O.A., steps are being taken to fix the pension on regular basis.

4. Our attention is also drawn to the order dated 07.10.2019, through which the applicant was extended the benefit of pay scale of ₹15600-39100 with Grade Pay of ₹5400/-, w.e.f. 01.07.2013. In view of these steps, it cannot be stated that there was any lapse on the part of the respondents.

5. The contempt case is accordingly closed. It is needless to mention that the respondents shall expedite the steps for granting the fixation of the regular pension.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

October 14, 2019

/sunil/