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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 321/2016 and C.M. No. 1297/2016

AJIT KUMAR SINGH

..... Petitioner

Through: Mr. Mahesh Srivastava, Advocate
with Mr. Vaibhav Manu Srivastava, Advocate

versus

UOI AND ORS

..... Respondents

Through: Mr. Rajan Sabharwal, Advocate with
Mr. Raghav Sabharwal, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

O R D E R

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11.02.2016

1. The present petition has been filed by the petitioner praying inter alia for issuance of directions to the respondents/RPF to release his salary for the period w.e.f. April, 1992 to December, 1996 alongwith interest, apart from the travelling allowance and 30 days' salary in lieu of holidays w.e.f. 09.04.1992 to 23.04.1999. Further, the petitioner seeks directions to the respondents to grant him MACP from the due date, i.e. w.e.f., 2012.

2. Learned Counsel for the petitioner submits that the petitioner had joined the Railway Protection Force as a Sub Inspector on

01.04.1982 and he was promoted to the post of Inspector. The petitioner is due to retire in June, 2016. In the year 1999, the petitioner was suspended on account of a criminal case filed against him wherein he was finally acquitted vide order dated 17.08.2000. The petitioner's suspension order was revoked on 23.04.1999. Vide order dated 02.04.2007, the respondents had regularised the petitioner's suspension period between 09.04.1992 to 23.04.1999 and decided that the said period would be treated as spent on duty. The respondents had also regularised the leave permission granted to the petitioner during the suspension period and released his salary from April, 1999 to May, 2004.

3. However, the salary payable to the petitioner for the period between 09.04.1992 to April, 1999 remained unpaid and other employment benefits were also not released in his favour. As a result, the petitioner submitted several representations to the respondents, the last one being a representation dated 12.03.2015 (Annexure A). Counsel for the petitioner states that none of the representations made by the petitioner have been considered by the respondents, thus compelling him to file the present petition.

4. On the last date of hearing, counsel for the respondents, who

had appeared on advance notice, had sought time to obtain instructions from the Department. He states today that as per instructions received, being a very old case, it shall take at least three months' time for considering and processing the same in accordance with law.

5. In view of the aforesaid submission, it is deemed appropriate to dispose of the present petition with directions to the respondent No.2 to decide the representation of the petitioner in accordance with law by passing a speaking order under written intimation to him within three months. If any amount is found to be due and payable to the petitioner, the same shall be released within the same timeline, failing which the respondents shall pay interest @8% per annum from the date the said amount had become due and payable, till realisation.

6. The petition is disposed of alongwith the pending applications.

DSATI to the counsel for the respondents.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 11, 2016/rkb/ap