



2025:DHC:10891-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 02.12.2025***+ **W.P.(C) 3054/2024**
SHER SINGH

.....Petitioner

Through: In person.

versus

GOVT. OF NCT OF DELHI & ANR.RespondentsThrough: Mr. Ripudaman Bhardwaj,
CGSC with Mr. Kushagra
Kumar and Mr. Amit Kumar
Rana Advs.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed, challenging the Order dated 19.04.2023 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 1256/2022, titled *Sher Singh v. Commissioner of Police Delhi and Anr.*, whereby the learned Tribunal dismissed the O.A. filed by the petitioner herein, thereby rejecting his claim of honorarium for acting as a Presenting Officer in the two departmental enquiries.

2. As far as the grant of honorarium for acting as a Presenting Officer in the two departmental enquiries is concerned, it is undisputed that in terms of Standing Order no. A-20 (125/2010), issued *vide* No. 6109-6465/Record Branch/PHQ dated 30.07.2013,



honorarium was to be paid to the petitioner for acting as a Presenting Officer in two departmental enquiries; first, *vide* Order No. 5278-5300/HAP-7th Bn. DAP (P-I) dated 30.09.2014, and later, *vide* Order No. 5601-20/HAP-7th Bn. DAP (P-I) dated 24.10.2014. Both the enquiries culminated within the time-frame stipulated in the said Standing Order.

3. Such honorarium was also payable to the Enquiry Officers and was duly paid to them *vide* an Order dated 29.10.2015 passed by the respondents. However, as far as the petitioner is concerned, without assigning any reason, the payment was deferred.

4. The petitioner came to be dismissed from service, on unrelated issues, *vide* Order dated 27.08.2018. The petitioner, however, maintained that the honorarium had become due and payable to him prior to his dismissal from service, and accordingly he made representation dated 11.03.2020 in this regard to the respondents. The said representation stood rejected by the respondent no. 2 *vide* Order No. 18578/Admn(III)/PHQ dated 07.10.2020, placing reliance on Rule 52 of FRSR Part I (General Rules) and Rule 24 of CCS (Pension) Rules, 1972. On a further representation, the case was deferred for consideration of application of Rule 52 of FRSR Part I (General Rules) on the claim of the petitioner. Aggrieved thereof, the petitioner filed the above O.A. before the learned Tribunal.

5. The learned Tribunal, by its Impugned Order, held that as far as Rule 52 of FRSR Part I (General Rules) is concerned, the same is not applicable as it pertains to only the pay and allowances which would become due and payable to an employee post the date of dismissal or



removal from service, and not to the ones which have already become due and payable.

6. The learned Tribunal, however, further held that Rule 24 of CCS (Pension) Rules, 1972, in so far as it provides for forfeiture of service on dismissal or removal, is concerned, just like pension, gratuity, etc., even the claim of honorarium would cease to exist as the past service stands forfeited.

7. The petitioner, who appears in person, submits that Rule 24 of CCS (Pension Rules), 1972 would have no application to the facts of the present case. He submits that the honorarium became due and payable to the petitioner in terms of the Standing Order dated 30.07.2013, and only because the respondents delayed the payment of the same, this would not mean that on dismissal of the petitioner from service, the said amount would stand forfeited. He submits that there is no authority in law for forfeiture of the said amount.

8. On the other hand, the learned counsel for the respondents submits that the Rule 24 of the CCS (Pension) Rules, 1972, in so far as it directs the forfeiture of the past service, would also entail forfeiture of any amount which has remained due and payable to the employee on the date of dismissal/removal from service. He submits that therefore, the honorarium was not payable to the petitioner and has rightly been forfeited by the respondents. He submits that the Impugned Order does not warrant any interference of this Court.

9. We have considered the submissions made by the petitioner, who appears in person, and by the learned counsel for the respondents.

10. As noted hereinabove, it is not denied that in terms of the



Standing Order dated 30.07.2013, the petitioner having acted as a Presenting Officer in two departmental enquiry proceedings which had culminated within the time-frame, was entitled to the grant of honorarium. The same became due and payable to the petitioner on the conclusion of the enquiry proceedings. The Enquiry Officer, under the same Standing Order, has already been paid the honorarium by an Order dated 29.10.2015. The case of the petitioner was, however, deferred without assigning any reason.

11. Rule 24 of the CCS (Pension) Rules, 1972 reads as under:

*"24. Forfeiture of service on dismissal or removal:
Dismissal or removal of a Government servant from a service or post entails forfeiture of his past service."*

12. The forfeiture of the past service under Rule 24 of CCS (Pension) Rules has to be for the purposes of pension and other retiral benefits, but cannot be applied to the dues which were already owed to the employee before the order of dismissal/removal from service was passed, unless so authorised in law.

13. In the present case, the respondents have not passed any order which would result in forfeiture of the honorarium which would already become due and payable to the petitioner in accordance with Standing Order. Rule 24 of the CCS (Pension) Rules had no application to the facts of the present case. No other provision has been brought to our notice which would empower the respondents to forfeit the honorarium amount, which already became due and payable to the petitioner, on his dismissal from service.

14. In our view, the learned Tribunal has therefore erred in



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dismissing the O.A. filed by the petitioner. The petitioner was entitled to be paid the honorarium in terms of the Standing Order from the date it became due to him.

15. We therefore, allow the present petition and direct the respondents to pay the honorarium amount to the petitioner in accordance with the Standing Order dated 30.07.2013, along with interest at the rate of 6 % per annum from the date it became due and payable to the petitioner till the date of payment. The payment must be made by the respondents to the petitioner within a period of eight weeks from today.

16. There shall be no order as to costs.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 2, 2025/ys/P/ss