

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO.141/2002

This the 16th day of January, 2002.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.K.AGRAWAL, MEMBER (A)

Suraj Pal,
R/O House No.7, Hope Apartment,
Sector 15,
Gurgaon.

... Applicant

(By Shri L.R.Khatana, Advocate)

"versus"

1. Union of India through
Secretary, Ministry of Home Affairs,
North Block,
New Delhi-110001.

2. Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi-110001.

3. Government of Haryana
through Chief Secretary,
Haryana Government Secretariat,
Chandigarh.

... Respondents

O R D E R (ORAL)

Hon'ble Shri Justice Ashok Agarwal :

Applicant who is an officer of the State Police Service is an aspirant to be appointed to the IPS by promotion. Claim of the applicant and similarly placed officers was considered by the DPC held on 26.5.1999 when select lists for the year 1996-97 and 1998 were prepared considered. The selection committee while considering the claim of the applicant for the years 1996-97 adjudged him as "unfit", whereas for the year 1998 as "good". Candidates who had secured "good" grading for 1996-97 were duly selected and for the year 1998 candidates

N.S.

securing "very good" had been selected. Applicant in the circumstances has been left out. Applicant has submitted that the selection committee while considering the candidature of applicant for the year 1998 had exactly the same service record before it which was considered by the committee for the purpose of preparation of select list for the year 1996-97, as the applicant was under suspension for the period 10.10.1995 to 3.10.1998. However, to the surprise of the applicant, the selection committee has given two contradictory ~~recommendations~~ ^{gradings} in respect of the applicant, namely, 'unfit' for the year 1996-97 and "good" for the year 1998. In this regard applicant has submitted his representation of 27.6.1999 through his advocate annexing copies of the minutes of the selection committee held on 26.5.1999. In response, applicant was issued a show cause notice of 18.8.1999 (Annexure A-5) alleging violation of Official Secrets Act in respect of the confidential select committee proceedings. Applicant, in the circumstances, has instituted the present OA seeking to impugn the select list of the selection committee held on 26.5.1999.

2. Having regard to the aforesated facts, we find that interest of justice will be duly met by disposing of the present OA at this stage itself even without issue of notices with a direction to the respondents to treat the present OA as a fresh representation by and on behalf of applicant and pass speaking and reasoned orders expeditiously and within a period of eight weeks from the

[Handwritten signature]

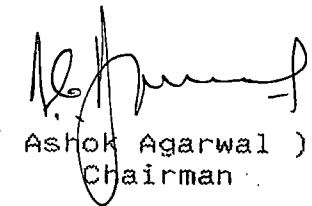
N.F.

date of service of copy of this order. We direct accordingly.

3. Present OA is disposed of accordingly, in limine.



(S.K. Agrawal)
Member (A)



(Ashok Agarwal)
Chairman

/as/