

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

RA No.87/2003 in

OA No.1418/2002

NEW DELHI, THIS THE 1ST DAY OF APRIL, 2003

HON'BLE MR.JUSTICE V.S.AGGARWAL, CHAIRMAN

HON'BLE MR.V.K.MAJOTRA, MEMBER (A)

1. Sh. Harmeet Singh
Assistant Commissioner of Police,
F - 1, P.S. Sarojini Nagar,
New Delhi.

----- APPLICANT/RESPONDENT
No.4 in Q.A.

- V E R S U S -

1. The Union of India,
Through Secretary
Ministry of Home Affairs,
New Delhi.
2. The Commissioner of Police,
Through its Chairman,
Police Head Quarters,
New Delhi - 110 002.
3. Union Public Service Commission,
Through its Chairman,
Shahjahan Road,
New Delhi.
4. Sh. Shyam Singh,
Assistant Commissioner of Police,
B-44, Friends Colony West,

New Delhi - 110 045.

5. Sh. S.S. Manan,
Assistant Commissioner of Police,
Flat No.48, Block No.20,
Lodhi Colony,
New Delhi - 110 003.
6. Sh. S.K. Pant,
Assistant Commissioner of Police,
H-265, Sector VIII,
R.K. Puram,
New Delhi.
7. Sh. Amarjit Singh,
Assistant Commissioner of Police,
55-B, BU Block,
Shalimar Bagh,
Delhi.
8. Sh. Ved Prakash Gupta,
Assistant Commissioner of Police,
A-87, Derawala Nagar,
G.T. Road,
New Delhi - 110 009.
9. Sh. Ravinder Kumar Pandey,
Assistant Commissioner of Police, (Security)
Rashtrapati Bhawan,
New Delhi.
10. Sh. R.A. Sanjeev,
Assistant Commissioner of Police,
Special Branch,
Police Head Quarter.
New Delhi.
11. Sh. Rajesh Kumar,
Assistant Commissioner of Police, (Security)
Rashtrapati Bhawan,
New Delhi.
12. Sh. Prem Nath,
Assistant Commissioner of Police,
U.N. Mission in Kosova.
13. Sh. Durga Prasad
2/7, Court Lanes,
Rajpur Road, Delhi.
14. Sh. R.K. Mittal,
BW-3/A SFS Flats,
Shalimar Appts.,
Shalimar Bagh,
Delhi.
15. Sh. P.D. Duggal,

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- 13, Kalyan Vihar,
Delhi.
16. Sh. S.M. Bhaskar,
C-25-F, D.P. Apptt.,
Mayur Vihar-I,
Delhi.
17. Sh. Trilochan Singh,
2, Jai Singh Road,
New Delhi.
18. Sh. O.P. Tiwari,
6/668, Lodhi Colony,
New Delhi.
19. Sh. Ramesh Kumar Joshi
Assistant Commissioner of Police,
Block No. 21, House No. 109,
Lodhi Colony,
New Delhi.
20. Sh. Ram Narain,
A-19, N.P.L., Kingsway Camp,
Delhi.
21. Sh. Omvir Singh,
100-A, Guru Angad Nagar,
Laxmi Nagar, Delhi.
22. Sh. Ranbir Singh Yadav,
14/854, Lodhi Colony,
New Delhi.
23. Sh. Om Prakash Yadav,
C/o Police Head Quarter,
New Delhi.
24. Sh. Rattan Singh,
C-152, Nanakpura,
New Delhi.
25. Sh. V.K. Sobti,
B-1/8, Rajouri Garden,
Delhi.
26. Sh. Baljeet Singh Sandhu,
E-1, NPL, Kingsway Camp,
Delhi.
27. Sh. Harbans Lal,
C/O Police Head Quarter,
Delhi.
28. Sh. H.V.S. Rathi,
301, Sector-3,
R.K. Puram, New Delhi.

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29. Sh. Sita Ram,
5, Type-4, DCP Office,
Complex Hauz Khas,
New Delhi.
30. Sh. Nihal Singh,
E-265/B, Chirag Delhi,
New Delhi.
31. Sh. Raj Pal Mehta,
C/o Police Head Quarter,
Delhi.
32. Sh. Sheodin Singh,
F-251, MIG Flats,
Rajouri Garden,
Delhi.
33. Sh. Gauri Shankar,
A-321, Sarojini Nagar,
Delhi.
34. Sh. Kailash Chander,
C/o Police Head Quarter,
Delhi.
35. Sh. Nirmal Singh Mattoo,
3, Type-4, DCP South Distt.,
Complex, Hauz Khas,
New Delhi.
36. Sh. Din Dayal Nigam,
431, Laxmibai Nagar,
New Delhi.
37. Sh. Shish Ram,
F-4, PS Lodhi Colony,
New Delhi.
38. Sh. R.S. Kataria,
C/o Police Head Quarter,
Delhi.
39. Sh. S.S. Bali,
87, DDA Flats,
Masjid Moth, New Delhi.
40. Sh. Mangi Lal Meena,
317-318, Lodhi Colony,
New Delhi.
41. Shri Ram Meena,
C-21, South Moti Bagh,
New Delhi.
42. Sh. R.K. Meena,

Ashoka Police Line
New Delhi.

43. Sh. Braja Kishore Singh
ACP/Operation (Vasant Vihar)
South West Distt.
New Delhi.
44. Shri Ram Kumar Sharma
Asstt. Commissioner of Police
Police Control Room
Police Headquarters
New Delhi.
45. Shri B.R. Paul
Asstt. Commissioner of Police
P.G. Cell
Delhi Police
South District
New Delhi.
46. Sh. Jai Pal Singh
A-222, Surajmal Vihar
Delhi.

... Respondents

O R D E R (BY CIRCULATION)

Justice V.S. Aggarwal:-

The question of seniority between direct recruits and promotees in the Delhi Police had been agitated and OA No. 1418/2002 with OA No. 1435/2002 were disposed of with the following directions:-

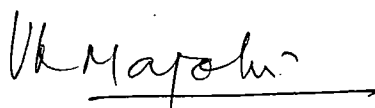
- "(a) the seniority list prepared by the respondents is quashed;
- (b) the seniority of direct recruits and promotees has to be fixed as per the decision of the Supreme Court in the case of Harish Chander Bhatia (supra), namely a direct recruit has to be interposed in between two promotees;
- (c) so far as the promotees are concerned, their inter se seniority has to be determined in terms of sub-rule (2) to Rule 14 and Rule 29 of the Rules for those who were inducted before the amendment was effected on 6.9.1991; and


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- (d) those who were inducted after the amendment effected on 6.9.1991 would be governed by the amended Rules."

Respondent No.4 in OA No.1418/2002 who is present applicant seeks review of the said order.

2. Aforesaid order had been pronounced by this Tribunal keeping in view the decision of the Supreme Court whereby the concerned rules had been interpreted. Necessarily a strict interpretation had to be given. The applicant seeks review but indeed the matter cannot be re-argued; nor it would be permissible to re-write the judgement of the Supreme Court. Necessarily, the review application must fail and is dismissed by circulation.


(V.K. Majotra)
Member (A)


(V.S. Aggarwal)
Chairman

/sns/