

**CENTRAL ADMINISTRATIVE TRIBUNAL****CHANDIGARH BENCH****O.A. No.060/00124/2020**

Chandigarh, this the 07th February, 2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

1. Gurninder Singh, aged 40 years, S/o Sh. Jairnail Singh, R/o House No. 74, Rana complex, VPO Babyal, Ambala, Haryana – 133001.
2. Vijay Singh, aged 39 years, S/o Sh. Asha Ram, R/o Sonasar via Dhanuri, Jhunjhunu, Rajasthan – 321001

'Group C'

....Applicants

(BY: MR. SANDEEP SIWATCH, ADVOCATE)

Versus

1. Union Territory, Chandigarh Administration, Chandigarh through Administrator, U.T. Civil Secretariat, Sector 9, Chandigarh – 160009.
2. Home Secretary, Chandigarh Administration, UT Secretariat, Sector 9, Chandigarh – 160009.
3. Inspector General of Police, Union Territory, Chandigarh Police Headquarters, Additional Deluxe Building, Sector 9-D, Chandigarh.
4. Senior Superintendent of Police, Union Territory, Chandigarh Police Headquarters, Additional Deluxe Building, Sector 9-D, Chandigarh – 160009.

... .Respondents**O R D E R(Oral)****SANJEEV KAUSHIK, MEMBER (J):**

1. MA NO. 060/00226/2020 is allowed and the applicants are permitted to join together to file this O.A..
2. The present O.A. has been filed by the applicants seeking issuance of a direction to the respondents to



consider their claim for appointment to the post of Constables in Chandigarh Police under Ex-Serviceman General category.

3. Heard.

4. Learned counsel submitted that vide advertisement dated 19.11.2015 (Annexure A-1), the respondents have notified 520 posts of constables in the Chandigarh Police, out of which 37 posts are reserved for Ex-Servicemen of General category, to which the applicants herein belong. Applicants, being eligible, applied under the relevant category. It is averred that the applicants, though, could not make it to the main merit list and waiting list, but as per the scores obtained by them, they stand next in overall merit for the Ex-servicemen general category. Learned counsel submitted that after finalization of the selection process, eight posts are still lying vacant and to fill up those vacancies the respondents have issued letter dated 25.10.2019 (Annexure A-9) calling the incumbents who were dependent of Ex-Servicemen, which is illegal. He argued that if after exhausting the main merit list and waiting list, some of the notified posts are lying vacant, then the offer should be given to applicants, who are next in merit. Reliance, in support of the plea, has been placed upon a judgment of the Hon'ble Jurisdictional High Court in the case of **Satinder Kumar Vs. Central Administrative**



Tribunal Chandigarh and Others (CWP No.16007-CAT-2007 decided on 25.03.2008). It is further submitted that the applicants for the redressal of their grievance, served a legal notice dated 16.12.2019 (Annexure A-7) which stands unanswered till date and they would be satisfied if a direction is issued to the respondents to consider and decide the same in accordance with law.

5. Considering the limited prayer made on behalf of the applicants, it would be appropriate that the grievance of the applicants be looked into by the respondents themselves, therefore, the O.A. is disposed of, in limine, with a direction to the Competent Authority, to whom the indicated legal notice has been addressed, to consider and decide the same in accordance with law, by passing a reasoned and speaking order within a period of one month from the date of receipt of a copy of this order, and a copy thereof be duly communicated to the applicants.

6. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

**(Sanjeev Kaushik)
Member (J)**

Place: Chandigarh
Dated: 07.02.2020

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