

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.257/2001

New Delhi this the 4th day of April, 2002

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri M.P.Singh, Member (A)

1. Sh.A.A.Farooqee,
Deputy Commissioner of Police,
6th Bn.DAP, Delhi
2. Shri R.K.Sharma,
Deputy Commissioner of Police,
9th Bn.DAP, Delhi.
3. Sh. Naresh Kumar,
Deputy Commissioner of Police,
3rd Batalion,
Delhi Armed Police,
Delhi.
4. Shri V.Ranganthan,
Addl. Deputy Commissioner of Police,
North District, Delhi
5. Sh.K.C.Dwivedi,
Deputy Commissioner of Police,
Licensing Unit, Delhi.
6. Shri D.L.Kashyap,
Deputy Commissioner of Police,
8th Battalion, Delhi Armed Police,
Delhi.
7. Shri D.P.Verma,
Deputy Commissioner of Police,
Supreme Court Security, New Delhi.

..Applicants

(By Advocate Shri Sudhanshu Tripathi,
learned counsel through proxy counsel
Shri Medhanshu Tripathi)

VERSUS

1. Union of India, through the
Secretary, Ministry of Home
Affairs, Govt.of India, North
Block, New Delhi.
2. Ministry of Personnel,Public
Grievances and Pension, through
the Secretary, Govt.of India,
North Block, New Delhi.
3. Commissioner of Police,
Police Headquarters,
I.T.O., New Delhi.

4. National Human Rights Commission,
Through the Secretary,
Sardar Patel Bhawan, New Delhi.

..Respondents

(By Advocate Shri M.M.Sudan, learned
senior counsel)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J))

At the outset, learned proxy counsel for the applicants submits that in the present application only applicants at Serial Nos 1,3,5 and 6 are interested in pursuing the OA. Learned proxy counsel for the applicants in the present OA was present when we have passed the order today in OA 245/2001, in which we find that the aforesaid four applicants namely, 1,3,5 and 6 were also applicants in that OA. It is relevant to mention that with respect to applicant No.1, Shri A.A.Farooqee who was also applicant No.1 in OA 245/2001 in respect of whom learned counsel in that OA had mentioned that he is no longer interested in pursuing the OA. It is further relevant to note that the other three applicants, namely, S/Shri Naresh Kumar, K.C. Dwivedi and Shri D.L.Kashyap are the remaining applicants in OA 245/2001 in respect of whom the claims are pressed and also disposed of by our order of even date. In the present case, Shri M.Tripathi, learned proxy counsel submits that with regard to applicant No.1, Sh.A.A.Farooqee, he has also categorically made a statment to the respondents that he does not wish to join Indian Police Service (IPS). It is perhaps for that reason ^{that is} in OA 245/2001 where Shri.A.A.Farooqee was

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also applicant No.1, his learned counsel did not press any further claim on his behalf. 13

2. In view of the fact that with respect to other applicants, namely, 3,5 and 6 the claims have already been dealt with in OA 245/2001, nothing further survives in the present OA.

3. Shri M.Tripathi, learned proxy counsel submits that applicant No.1 had made a representation to the respondents dated 25.10.1999. This OA has been filed on 22.12.2000. He has further submitted that neither this representation has been considered nor any reply given to him till date. Learned counsel has, therefore, submitted that he would be satisfied, if respondents are directed to give reply to this representation submitted by the applicant No.1 on 25.10.1999.

4. Shri M.M.Sudan, learned counsel has also been heard. He has submitted that a perusal of the prayers made by the applicants shows that they are administrative in nature dealing with policy matters of the Govt. of India which is not within the scope and jurisdiction of the Tribunal. He has, therefore, prayed that the OA is not maintainable.


5. In view of above facts and circumstances of the case, we are unable to agree with the submissions made by the learned senior counsel for the respondents that this Tribunal does not have jurisdiction in the matter, particularly having regard to the nature of the


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representation made by applicant No.1, referred to above, which apparently has not been looked into or replied by the respondents. In this view of the matter, this OA is disposed of with the following directions:-

Respondents shall consider the aforesaid representation of applicant No.1 and pass a detail, reasoned and speaking order on the same, within four months from the date of receipt of a copy of this order with intimation to the applicant.

No order as to costs.


(M.P.Singh)
Member(A)


(Smt.Lakshmi Swaminathan)
Vice Chaiman (J)

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