

Central Administrative Tribunal  
Principal Bench

O.A. No. 1720 of 1999

New Delhi, dated this the 26<sup>th</sup> AUGUST 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)  
Hon'ble Mr. Kuldip Singh, Member (J)

S/Shri

1. N.D. Bhardwaj,  
S/o late Shri Murari Lal Bhardwaj,  
R/o C-7/99, Yamuna Vihar,  
Delhi-110053.
2. J.L. Sawhney D-I 556  
S/o Shri D.C. Sawhney
3. Bagh Singh, DI-177  
R/o A-5, Old Police Lines
4. H.C. Joshi D-1/195  
S/o late Shri D.D. Joshi
5. S.C. Batra D-1/214,  
S/o Shri F.C. Batra
6. T.R. Mirwani DI-598  
S/o Shri P.R. Mirwani
7. Hawa Singh DI-215,  
S/o Shri Bhaleram
8. H.C. Rana, DI-235  
S/o Shri Giani Ram
9. S.S. Bhalla DI-240  
S/o late Shri Jagannath Bhalla
10. S.K. Kakkar, DI-257  
S/o Shri Ram Lal
11. Ramesh Singh, DI-336  
R/o Qr. No. 457, Timarpur
12. S.S. Sandhu,  
S/o late Shri Saroop Singh
13. S.S. Chaturvedi, DI-117  
S/o Shri S.C. Chaturvedi
14. S.K. Ahuja, DI-454,  
S/o late Shri P.L. Ahuja
15. Mohan Lal, DI-317  
S/o Shri Gurdass
16. Ajit Singh, 1st BN., DAP, DI-599  
S/o late Shgri Balbir Singh

17. R.P. Gautam, DI-252  
S/o late Shri H.L. Gautam. ... Applicants

(By Advocate: Shri M.K. Gupta)

Versus

1. Union of India through  
the Secretary,  
Ministry of Home Affairs,  
North Block, New Delhi-110001.
2. Lt. Governor,  
Govt. of NCT of Delhi,  
Raj Niwas, Delhi-110054.
3. Commissioner of Police,  
Police Headquarters,  
I.P. Estate, New Delhi-110002.
4. Union Public Service Commission,  
through its Secretary  
Dholpur House,  
New Delhi-110003.

... Respondents

(By Advocate: Shri V.S.R. Krishna)

O R D E R

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicants pray for a direction to Respondent No.1 to fill all the 110 upgraded posts of Asst. Commissioner of Police Gr. II (ACP) from promotion of Inspectors, Delhi Police with all consequential benefits and declare the action of the respondents in not filling up the posts as yet from promotion quota as illegal, arbitrary and untenable.

2. We have heard applicants' counsel Shri M.K. Gupta and Respondents' counsel Shri V.S.R. Krishna on the preliminary objection raised by Shri Krishna regarding the maintainability of the O.A. on the ground of being premature.

3. In this connection Shri Krishna has invited our attention to the Tribunal's order dated

27.5.99 in O.A. No. 528/98 in which those applicants who were confirmed Inspectors of Delhi Police were aggrieved ~~of~~ <sup>by</sup> Respondents' failure in not convening the DPC proceedings since 1992 for the purpose of effecting regular promotions to the grade of Asst. Commissioner of Police (ACP).

4. By the aforesaid order dated 27.5.99 Respondents inter alia were directed to convene a regular DPC on yearwise basis to consider the case of all those applicants now working on ad hoc basis as well as similarly placed officials for regular promotions as ACP Gr. II, and action in this respect was directed to be completed by 30.11.99.

5. During hearing Shri Krishna stated at the Bar that action in this direction has already been initiated and Respondents were taking steps to obtain the concurrence of DP&T and UPSC to relax the rules to enable Respondents to take steps to fill up all the 110 upgraded posts of ACTP on promotion basis.

6. In the light of the foregoing, the present O.A. is clearly premature, and is dismissed, giving liberty to applicants that in case Respondents <sup>don't</sup> abide by the directions contained in the

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Tribunal's order dated 27.5.99 it will be open to applicants to agitate their grievance in accordance with law, if so advised. No costs.

*Kuldeep Singh*  
(Kuldeep Singh)  
Member (J)

*S.R. Adige*  
(S.R. Adige)  
Vice Chairman (A)

/GK/