

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA 136/98
MA 112/98

New Delhi this the 3rd day of December, 1998.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Shri N. Sahu, Member (A)

In the matter of

1. Subhash Yadav
S/O Sh. Raj Singh
R/O Mohalla, Nand Yan
Village & P.O. Kosli,
District Rewari,
Haryana.
2. Sh. Harinder Singh
S/O Sh. Desh Raj
R/O Vill. Bahalpa,
P.O. Rothoz,
Distt. Gurgaon, Haryana.
3. Kanwar Pal Singh
S/O Sh. Bis Ram Tanwar,
S/O Vill. Karna, P.O. Palwal,
Distt. Faridabad, Haryana.

.. Applicants

(By Advocate Sh. Naresh Kaushik)

Vs.

1. Union of India through its
Secretary, Ministry of Home
North Block, New Delhi.
2. NCT, Delhi, through its
Chief Secretary, 5 Sham Nath
Marg, Delhi.
3. Commissioner of Police,
Police H.Q. I.P. Estate,
Delhi.

.. Respondents

(By Advocate Sh. Arun Bhardwaj through
proxy counsel Sh. Bhaskar Bhardwaj)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

The applicants who have filed this application seek a direction to the respondents to appoint them as Constables in Delhi Police as, according to them, they fulfill the eligibility conditions as prescribed in the relevant Recruitment Rules.

2. Learned counsel for the applicants has submitted that the reason why the respondents have not given the appointments for which they had appeared in the recruitment held on 14.6.95 as Constable is that they were not OBCs. However, he has

submitted that later on it has been accepted that the applicants who are from Haryana belong to OBCs in that State. He also relies on the judgement of this Tribunal in Parmender Kumar and Others Vs. UOI through Secretary, M/O Home Affairs and Others (OA 2410/96 with connected cases) decided on 24.10.1997 (Ann.VIII).

3. We have seen the reply filed by the respondents in which they have submitted that they had filed an appeal against the aforesaid order of the Tribunal which has been stayed. However, learned proxy counsel for the respondents submits at the Bar that Hon'ble Delhi High Court has since vacated the stay and he has no objection if an order similar to ~~in~~ Para 37(ii) of that order is passed in this O.A.

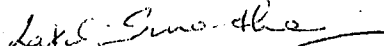
4. In view of the above facts and circumstances of the case, this O.A. is disposed of with the following directions:-

The respondents shall process the selection of the applicants further in accordance with the rules, ~~and~~ Subject to fulfilment of the eligibility conditions as prescribed in the relevant Recruitment Rules, they shall be given offer of appointments as Constables in Delhi Police in pursuance of the recruitment held on 14.6.95 as Constables, similar to other applicants dealt with in the Tribunal's order dated 24.10.97 in OA 2410/96 with connected cases. They shall pass the orders within two months from the date of receipt of a copy of this order.

No order as to costs.



(N. Sahu)
Member (A)



(Smt. Lakshmi Swaminathan)
Member (J)

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