

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.343/1996

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE SMT. SHANTA SHAstry, MEMBER (A)

New Delhi, 5th January, 2000

Shri Preetam Singh
S/o Shri Surain Singh
R/o H.No.112, Sector IV
Ranjeet Avenue
Amritsar, Punjab
(By Advocate: Shri R.K. Sharma)

....Applicant

Versus

1. Union of India
The Secretary, M.H.A.
Government of India
New Delhi

2. Lt. Governor
National Capital Territory
of Delhi
(By Advocate: Shri N.S. Mehta)

...Respondents

O R D E R (ORAL)

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

In this O.A. the applicant has claimed a direction to the respondents to grant him selection Grade as ACP with effect from 1.12.1984 and to promote him as DCP with effect from 29.4.1987 with all consequential benefits, including arrears of difference in pay and allowances.

2. We have heard the learned counsel for the parties and perused the records.

3. Shri N.S. Mehta, learned senior counsel for the respondents has invited our attention to the order passed by the Hon'ble Delhi High Court dated 25.11.1999 (copy placed on record). In this order reference has been made to the provisional seniority list prepared by the respondents of DANIPS¹ from 1971. The learned counsel has submitted that the reliefs

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prayed for by the applicant in the present O.A. will depend on the final order which is to be passed by the Hon'ble Delhi High Court. Learned counsel for the applicant also submits that the claim of the applicant is based on the previous judgments of the Tribunal in Jai Pal Singh & Ors. Vs. UOI & Ors. (O.A. No.384/1996) disposed of by the Tribunal along with S.K. Dua Vs. UOI & Ors. (O.A. No.1739/1996) by order dated 9.1.1999. This order reads as follows:-

"Keeping in view the above parameters, these two OAs are disposed of with a direction to respondents to scrutinise the claims for refixation of seniority in respect of each of the applicant in the two OAs before us within 3 months from the date of receipt of a copy of this order, by means of reasoned order in each case, and subject to their claims falling within the parameters discussed in para 16 above, refix their seniority in the same manner as was done in the case of Shri H.C. Bhatia and Others, with consequential benefits. No cost."

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

The respondents shall consider the claims of the applicant for promotion to the grades of ACP/DCP in terms of the order/directions of the High Court in C.W. No.2012/1999 and in accordance with the relevant rules and instructions. No orders as to costs.

Shanta F-

(Smt. Shanta Shastry)
Member (A)

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member (J)

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