

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

OA No. 2557/94

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New Delhi this the 27th Day of February, 1997

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

Hon'ble Shri R.K. Ahooja, Member (A)

Shri Lalit Paul Bilung,  
s/o Shri Joseph Bilung,  
r/o WZ-20, Posangipur, Janakpuri,  
New Delhi-58 and employed as  
Security Assistant in the  
Intelligence Bureau,  
M/O Home Affairs,  
Govt. of India, North Block, New Delhi.

... Applicant

(None for the applicant)

Vs.

1. Union of India through the Secretary,  
Department of Personnel and Training,  
Govt. of India, North Block, New Delhi.
2. The Secretary,  
Staff Selection Commission, Govt. of India,  
C.G.O. Complex, New Delhi.
3. The Commissioner of Police,  
Delhi Police,  
Police Headquarters, near I.T.O.  
New Delhi.

.. Respondents

(By Advocate Shri Arun Bhardwaj through proxy  
counsel Shri Raj Singh)

O R D E R (ORAL)

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

None for the applicant, even on the second call. We note that none had appeared for the applicant even on the last date of hearing i.e. 14.2.1997. However, we have perused the pleadings and heard Shri Raj Singh, learned counsel for the respondents.

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2. The grievance of the applicant with regard to non-selection to the post of Sub Inspector (Ex.) in which he had appeared in Feb., 1991. He is aggrieved by the fact that the respondents have rejected his candidature on the ground that he did not qualify the physical fitness<sup>test</sup>, namely, the height as prescribed under Rule 7 of the Delhi Police (Appointment and Recruitment) Rules, 1980. According to the applicant

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since he belongs to the area of Chhota Nagpur, which is a hill area, he ought to have been given relaxation in height of 5cms as prescribed under the rules for residence of hill areas, for example, Gorkhas and Garhwalis. In the amended O.A. filed on 8.4.95, the applicant had also filed an MA for condonation of delay, as the same has not been done earlier when the OA was filed.

3. The respondents have in their reply raised the preliminary objection on the grounds of limitation. Apart from this, <sup>been</sup> they have also submitted that the applicant has/disqualified correctly as he did not belong to <sup>any</sup> hill area as prescribed under the Rules i.e. hill area for example Gorkhas and Garhwalis. Therefore, they have submitted that the rejection of <sup>the</sup> candidature of the applicant is in accordance with the recruitment rules. Shri Raj Singh, learned counsel submits that <sup>therefore, be</sup> this application may/dismissed on merits also.

4. Having considered the pleadings and the other materials placed on record, we find no merit in this application. Application is also dismissed on the grounds of limitation. OA fails and ~~it~~ is dismissed. No order as to costs.

*R. K. Ahuja*  
(R.K. Ahuja)

Member (A)

*Lakshmi Sumanathan*  
(Smt. Lakshmi Sumanathan)

Member (J)