

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. 1544 of 1989

New Delhi this the 27th day of May, 1994

Mr. Justice S.K. Dhaon, Vice-Chairman
Mr. B.N. Dhoundiyal, Member

Shri Udaibir Singh
No.409 (Communication)
Lodhi Colony Police Station
New Delhi.

....Applicant

Applicant in person.

Versus

1. Commissioner of Police,
Police Head Quarter Opposite (ITO),
Delhi.
2. Dy. Commissioner of Police
Communication, Delhi,
Old Police Line,
Civil Lines Delhi.Respondents

By Advocate Shri J.C. Bhasin

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

In this O.A., the only question to be decided is whether the applicant should have been put in the promotion List 'D' (Technical) with effect from 06.12.1988.

2. It is the applicant's own case that the DPC was held to consider the case of the applicant and others and he was found unfit by that Committee. Thereafter, he made a representation to the Commissioner of Police which was rejected on 16.12.1988. The order of the Deputy Commissioner of Police is sought to be quashed.

3. A counter-affidavit has been filed on behalf of the respondents. Therein, the material averments are these. The applicant has not passed the Wireless Operator Grade-II Course conducted/approved by the DCP, MHA, New Delhi, so far which is an essential Technical qualification for regular promotion of a candidate to be put in promotion List 'D'. He was subjected to departmental enquiry and he was given a punishment of forfeiture of one year's approved service entailing reduction in his pay from Rs.1240/- to Rs.1210/-p.m. with effect from 08.11.1986.

4. We are not sitting in a court of appeal over the proceedings of the Departmental Promotion Committee. We have gone through the contents of the O.A. and we find that no allegation of mala fide has been made against the members of the Departmental Promotion Committee. Nothing has been indicated to show that the proceedings of that Committee has been vitiated on any ground.

4A. We are informed that during the pendency of this O.A., the applicant passed the required examination and thereafter, he was duly considered and his case was put in the promotion List 'D' on 04.12.1991.

5. We are unable to grant any relief to the applicant. We have, therefore, no alternative but to reject this application. However, there shall be no order as to costs.

B.N. DHOUNDIYAL
(B.N. DHOUNDIYAL)

MEMBER (A)

S.K. DHAON
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VICE CHAIRMAN

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