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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 1679 of 1988

22nd day of November, 1993

1. Hon'ble Mr. J.P. Sharma, Member (J)
2. Hon'ble Mr. B.K. Singh, Member (A)

S.R. Solanki
S/o Late Shri Ram Chand,
Sub Inspector of Police, No. 1358/D
Senior Accident Service Technician (SAST)
Dy. Commissioner of Police - DCP (P&L)
Delhi.

... Applicant

By Advocate: None

Versus

1. The Commissioner of Police
Police Headquarters, I.P. Estate,
New Delhi.
2. The Addl. Commissioner of Police (O)
Police Headquarters, IP Estate,
New Delhi.
3. The Dy. Commissioner of Police, HQ(1)
Police Headquarters, IP Estate,
New Delhi.

... Respondents

By Advocate: None.

ORDER (ORAL)

Hon'ble Mr. J.P. Sharma, Member (J)

None for the parties is present. This is an old matter. We have gone through the pleadings and proposed to decide the matter on merit. The applicant joined the Delhi Police on 10.12.1962 and ^{was} promoted to the post of Head Constable on 4.1.67 and to the post of ASI on 3.7.76. He was selected as Senior Accident Service Technician (SAST) and posted in Maulana Azad Medical College and Association, Irwin Hospital New Delhi. The grievance of the applicant is that though the juniors to him have been promoted in regular line but his name was not included

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in the promotion list 'E' and when he made his representation, by the order dated 3rd February 1988 he was declined this promotion because he had already ~~be~~ been posted to the post of SAST. The applicant has prayed that direction be issued to the respondents that since he retains his lien in his original ministerial ^{cadre}, he be transferred back to the same and be allowed further promotion in that line.


2. The respondents contested this application and in reply stated that by the letter dated 13.11.1975, 12 posts of SAST were created and the applicant opted to join that post and he was selected and was given training of 8 weeks. The applicant was therefore deployed to work as SAST w.e.f. 4.10.76. At that time there were no recruitment rules and the same came into force for the first time w.e.f. 22.8.1979. A circular was issued to all districts units calling volunteers for the posts. The applicant applied for the post and his case along with other eligible candidates was considered by the DPC and he was given substantive appointment as SAST (ASI) w.e.f. 4.10.80 and this was subsequently changed by a direction given in T.A. No.594/86 by the Tribunal as 22.8.79.

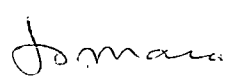
3. We have considered the matter in greater detail. An option for all purposes means that the lien in the

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post in the ministerial cadre of Delhi Police stood totally abolished w.e.f. 4.10.80 and subsequently, when the date was changed by the order of the Tribunal, to 22.8.1979. After absorption in the parallel organisation the applicant cannot aspire for the benefits of the ministerial cadre where he was initially appointed as a Constable in 1962. The applicant has therefore no ^{same} case, and is therefore disposed of as devoid of merits.
No costs.


(B.K. Singh)
Member (A)


(J.P. Sharma)
Member (J)

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