

**Central Administrative Tribunal
Principal Bench, New Delhi**

**C.P. No. 118/2020 in
O.A. No. 1117/2019
M.A. No. 1124/2020**



This the 31st day of August, 2020

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Amar Singh Meena
 S/o Sh. Bachhu Ram Meena
 R/o Qr. No. 4-B, Type-III
 Police Colony Shakurpur
 Delhi-110092
 Aged about 57 years, Group B
 (Assistant Commissioner of Police, Delhi Police)

...Petitioner

(By Advocate: Sh. Ajesh Luthra)

VERSUS

1. Sh. Vijay Kumar Dev
 Chief Secretary
 Government of NCT of Delhi
 A-Wing, 5th Floor
 Delhi Secretariat, IP Estate, New Delhi.
2. Ms. Renu Sharma
 The Secretary (Home)
 5th Level, C-Wing
 Delhi Secretariat, New Delhi-110001.
3. Sh. S.N. Shrivastava
 Commissioner of Police
 PHQ, MSO Building
 IP Estate, New Delhi.

4. Sh. S.K. Gautam
 Special Commissioner of Police (Hdqrs.)
 Delhi Police Hdqrs, MSO Building
 IP Estate, New Delhi. ...Respondents



(By Advocate: Ms. Esha Mazumdar)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member (J):

The present CP has been filed by the petitioner alleging wilful defiance of the directions of this Tribunal in Order dated 06.01.2020 in the aforesaid OA. Para 3 to 6 of the aforesaid Order dated 06.01.2020 reads as under:

“3. Learned counsel for the respondents submitted that a proposal has been sent to Govt. of NCT of Delhi and the finalisation of the same shall need UPSC intervention also. Specific averment made in counter reply dated 09.08.2019, reads as under:-

“V. xxx xxx xxx

The matter regarding amendment in the Recruitment rules for the post of Police Radio Officer/DCP Communication and representation of Shri Amar Singh Meena, ACP/Communication for his promotion to the post of Police Radio Officer/DCP Communication were examined in Police Hdqrs. at length and decided that there is no need to modify the existing Recruitment Rules at this stage and send a proposal to the Govt. of NCT of Delhi for filling up the post of Police Radio Officer/DCP Communication. Accordingly, a proposal on the prescribed format of UPSC alongwith other relevant documents/information i.e. service particulars, Work and Conduct report, Integrity certificate, grading of ACRs for the last five years of Shri



Amar Singh Meena, ACP/Communication, since the creation of the post, to prepare the reservation roaster, Vigilance status of the department and personal files of the Applicant, has been sent to the Govt. of NCT of Delhi, the cadre controlling authority, for taking necessary steps for filing up 01 vacant post of Police Radio Officer/Deputy Commissioner of Police/Communication by promotion, vide Police Hdqrs. letter No. 41022/CB-1/PHQ dated 19.07.2019.”

Respondents have also submitted some additional affidavit also on 03.01.2020, wherein the same position has been averred.

4. The applicant pleads that a time bound direction may be given to the respondents to finalise the proposal already under their consideration.

5. In view of the foregoing, the present OA is disposed of with the direction to the respondents to complete the process of consideration (para 3 supra), within a period of three months from the date of receipt of a certified copy of this order.

6. In view of aforesaid, OA stands disposed of.”

2. Heard learned counsel for the parties.
3. It is not in dispute that in pursuance of the directions of this Tribunal, as noted hereinabove, the respondents have passed the order of promotion of the applicant to the post of Deputy Commissioner of Police (Communications) under Delhi Police. However, Sh. Ajesh Luthra, learned counsel for the petitioner, submits that the promotion has not been given w.e.f. the date from which the applicant is entitled.

4. In the facts and circumstances and in view of the law laid down by the Hon'ble Apex Court in **J.S.**

Parihar v. Ganpat Duggar and others [(1996) 6 SCC



291], the present CP is closed. Notices issued to the respondents are discharged. The petitioner is at liberty to agitate his grievance, if any, in accordance with law in original proceedings.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/ravi/ns/daya/