

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NOs.170/00185/2020

DATED THIS THE 1st DAY OF JULY 2020

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

HON'BLE SHRI RAKESH KUMAR GUPTA MEMBER (A)

Raghunatha KS,
S/o Shivanna Nayaka,
Aged about 47 years
Commandant,
4th Battalion,
Karnataka State Reserve Police,
Bengaluru – 560 034

... Applicant

(By Shri Ajoy Kumar Patil..... Advocate)

vs.

1. The State of Karnataka
Represented by its Chief Secretary,
Karnataka Government Secretariat,
Vidhana Soudha,
Bengaluru – 560 001

2.The Secretary to Government of Karnataka,
Department of Personnel and
Administrative Reforms,
Karnataka Government Secretariat,
Vidhana Soudha,
Bengaluru – 560 001

3. The Additional Chief Secretary,
Home Department
Government of Karnataka
Karnataka Government Secretariat,
Vidhana Soudha,
Bengaluru – 560 001

4. The Director General and
Inspector General of Police,
Government of Karnataka ,
Nrupathunga Road,
Bengaluru – 560 001

...Respondents

ORDER (ORAL)

Per: SURESH KUMAR MONGA, MEMBER (J):

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:-

“i) Issue a writ of Mandamus or any other appropriate Writ, Order or Direction, directing the Respondents to give effect to the Government Order No.DPAR 155 SPS 2013, Bengaluru Dated 23/01/2016 (Annexure-A 1) and to forthwith include and forward the name of the applicant to the Union Public Service Commission for consideration of his name for promotion to the IPS for the Select List 2016 onwards;and

ii)Direct the Respondents to consider the representation of the applicant dated 29.7.2019 at Annexure-A2 and forthwith include and forward the name of the applicant to the Union Public Service Commission for consideration of his name for promotion to the IPS for the Select List 2016 onwards;and “

iii)Direct the Respondents to comply with the communications issued by the Government of India, Ministry of Home Affairs at Annexure-A3, A4 & A5 dated 02/03/2015, 28/04/2017 & 12/02/2018 respectively and forthwith include and forward the name of the applicant to the Union Public Service Commission for consideration of his name for promotion to the IPS for the Select List 2016 onwards;and

iv)Pass such other incidental, ancillary and consequential order/s, as this Hon'ble Tribunal deems fit, in the facts and circumstances of the case, in the interests of justice and equity.”

2. At the very outset, learned counsel for the applicant stated that before filing the present Original Application, the applicant had moved a representation dated 29.7.2019 (Annexure-A2) before the respondents in order to claim the relief which has been claimed herein through the present Original Application. However, the said representation has not

been decided upto today. Learned counsel further stated that the applicant would be satisfied, if, a direction is issued to the respondents to decide his pending representation and an appropriate order is passed in accordance with law within a time frame.

3. Keeping in view the afore-stated limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merit of the case.

4. Accordingly, the Original Application is disposed of with a direction to the respondents to decide the applicant's pending representation dated 29.7.2019 (Annexure-A2) and pass a reasoned and speaking order in accordance with law within a period of 2 months from the date of receipt of a certified copy of this order.

5. However, there shall be no order as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

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