

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.

Date of decision: 10.01.92

DA 1900/91

SHIV KUMAR

... Applicant.

Shri Shanker Raju

... Counsel for the applicant.

VERSUS

THE COMMISSIONER OF
POLICE & ANOTHER

... Respondents.

Shri M.K. Sharma

... Counsel for the respondents.

CORAM:

THE HON'BLE MR.P.K. KARTHA...VICE CHAIRMAN.

THE HON'BLE MR. M.M. MATHUR... MEMBER (A).

1. whether reporters of local papers may be allowed to see the judgement? *Q*
2. To be referred to the reporters or not? *Q*

JUDGEMENT(ORAL)

(Judgement of the Bench delivered by
Hon'ble Mr.P.K. Kartha, Vice Chairman)

The grievance of the applicant, who is presently working in the Delhi Police on deputation from CRPF, is that his request for permanent absorption in the Delhi Police has not been acceded to *Q* whereas several other persons similarly situated and belonging to the CRPF have been absorbed in the Delhi Police.

2. We have gone through the records of the case and have heard the learned counsel for both the parties. After the filing of this application, the Director General,

written to
CRPF has ~~intimated~~ the Delhi Police vide letter dated 12.11.91 ~~now~~ conveying his concurrence ~~to~~ ^q the permanent absorption of 25 Sub Inspectors in the Delhi Police. The list includes the name of the applicant also i.e., Shiv Kumar at item No.2. Our attention has also been drawn to a notification issued by the Commissioner of Police on 6.12.91 whereby as many as 23 persons, who were on deputation in the Delhi Police from the CRPF, have been ordered to be permanently absorbed in the Delhi Police. The name of the applicant does not figure in the list of persons to be absorbed, mentioned in the notification.

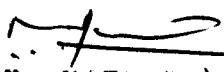
3. The learned counsel for the respondents submitted that the ~~agreement~~ ^q of the parent department, the borrowing department ^{and} ~~of~~ the government servant concerned is required for permanent absorption. At the time of filing of the application, the concurrence from the Director General, CRPF has not been received. His concurrence, as mentioned above, ~~is~~ ^{has been} ~~q~~ conveyed by his letter dated 12.11.91.

4. On 28.8.91 the Tribunal has passed an interim order directing the respondents not to relieve the applicant from the Delhi Police as Sub Inspector. In compliance with the interim order, the applicant is still continuing in the Delhi Police.

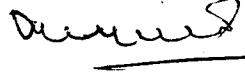
5. Now ^{that} ~~the~~ ^q Director General, CRPF has given his concurrence to the absorption of the applicant in the Delhi Police, ~~to~~ ^q dispose of the present application with the directions to the respondents to consider *dx*

absorbing the applicant as Sub Inspector in the Delhi Police in the same manner as the other Sub Inspectors have been absorbed by order dated 6.12.91, after satisfying themselves that the work and conduct of the applicant during the period of his deputation ~~was~~ ^{date of 2} satisfactory and that he is otherwise eligible for the same. Respondents shall comply with these directions within a period of two months from the communication of this order.

There will be no order as to costs.


(M.M. MATHUR)

MEMBER (A)


(P.K. KARTHA)
VICE CHAIRMAN