

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No. 2139/2004, 2140/2004, OA 2141/2004, OA 2142/2004,
OA 2143/2004, OA 2144/2004, OA 2145/2005, OA 2146/2004,
OA 2147/2004, OA 2148/2004 and OA 2149/2004

New Delhi this the 8th day of September, 2004

Hon'ble Mr. Justice V. S. Aggarwal, Chairman
Hon'ble Shri S. A. Singh, Member (A)

OA 2139/2004

Sumit Kumar
Roll No. 147,
S/o Sh. Ramesh Chand,
R/o D-7 Type-II New Police Line,
Kingsway Camp,
Delhi.

OA 2140/2004

Devaki Nandan,
Roll No. 146,
S/o late Shri Dharamvir Dhiman,
R/o 15/25/6, Asha Nivas,
Mangol Pur Kalan, Delhi.

OA No. 2141/2004

Yadwinder Singh,
Roll No. 177,
S/o Shri Baldev Singh,
R/o D-7, Type II, New Police Line,
Kingsway Camp, Delhi.

OA 2142/2004

Shyam Kumar,
Roll No. 292,
S/o Shri Sunder Lal,
R/o A-1354, Jahangir Puri, Delhi.

OA 2143/2004

Palvinder Singh,
Roll No. 165,
S/o Shri Harjeet Singh,

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R/O 89-H, New Police Line,
Kingsway Camp, Delhi.

OA 2144/2004

Dinesh Kumar,
Roll No. 37,
S/O Shri Gian Chand,
R/O 23-D, New Police Line,
Kingsway Camp, Delhi.

OA 2145/2004

Umesh Meena,
S/O Shri Ramesh Chand Meena,
R/O 37-1, Police Colony, Model Town-II,
Delhi.

OA 2146/2004

Amanpreet Singh,
S/O Shri Sukhdev Singh,
R/O D-10, Type II Ind N.P.L.,
Kingsway Camp, Delhi.

OA 2147/2004

Ramesh Kumar,
Roll No. 116,
S/O Shri Babu Lal,
R/O 72-D, New Police Line,
Kingsway Camp, Delhi.

OA 2148/2004

Jitender Saini,
Roll No. 212,
S/O Shri Ram Saini,
R/O 2515/193, near Mother Dairy,
Tri Nagar, Delhi.

OA 2149/2004

Upendra Kumar Meena,
Roll No. 138,
S/O Shri Bani Singh Meena,
R/O Meharmati Meena,
Post Dabathwa, Distt. Meerut,
U.P.

(By Advocate Shri Arun Bhardwaj)

Applicants

VERSUS

1. Commissioner of Police
Police Headquarter,
ITO, New Delhi.
2. Dy. Commissioner of Police,
4th Bn. DAP, Room No. 13,
Administrative Block, New Police Line,
Kingsway Camp, Delhi.
3. Dy. Commissioner of Police,
Hqrs. (Estt.) Delhi
MSO Building, PHQ,
ITO, IP Estate, New Delhi.

Respondents

ORDER (ORAL)

Mr. Justice V. S. Aggarwal, Chairman

By this common order we propose to dispose of the following petitions:

OA No. 2140/2004, OA 2141/2004, OA 2142/2004, OA 2143/2004, OA 2144/2004, OA 2145/2004, OA 2146/2004, OA 2147/2004, OA 2148/2004 and OA 2149/2004.

2. The facts basically are identical though the applicants took test for different posts in Delhi Police.

3. The sum and substance of the claim is that in pursuance of the advertisement, the applicants applied and undergone physical measurement test, stamina test, trade test and the interviews. It is contended that the final result was displayed on the Notice Board and the applicants were shown to have been finally selected and service records were also checked.

4. The precise grievance of the applicants is that the entire process has been cancelled by a news item appearing which reads as under:

"The recruitment for the post of Constable (Brass Band) and Constable (Pipe Band) in Delhi Police mentioned at Sl. Nos. 4 and 5 of the advertisement published in the News Papers in Hindustan Times (English) and Punjab Kesri

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5 (Hindi) dated 06.12.2003 as well as in Employment News dated 06.12.2003 is hereby cancelled on administrative grounds.

Sd/-

(D.S. Norawat)
Dy. Commissioner of Police
Hqrs.(Estt.) Delhi."

5. By virtue of the present applications, applicants seek a direction to appoint them as Constable in different disciplines in Delhi Police and declare that the act of the respondents in cancelling the recruitment is illegal.

6. Shri Ajesh Luthra, learned counsel for respondents was present in Court. We called upon him as to if he can inform us about the reason for cancellation. Learned counsel stated that there were certain complaints that had been received by the Commissioner of Police. The same had been verified and having been found to be true and correct, re-test was done. It is only thereafter that the Commissioner of Police had cancelled the entire process.

7. Taking stock of these facts, learned counsel for the applicants states that he will assail the said re-test and the action taken by the Commissioner of Police in accordance with law. Without prejudice to his rights, he does not press the present petitions. Allowed as prayed.

8. Subject to the aforesaid, dismissed as withdrawn.

(S. A. Singh)
Member (A)

(V. S. Aggarwal)
Chairman

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