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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.1447/92

NEW DELHI THIS THE 21ST DAY OF NOVEMBER, 1994.

MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)
MR.B.K.SINGH, MEMBER(A)

Shri Mukund Shriram Upadhye,
S/o Shri Shriram Upadhye
Deputy Commissioner of Police
R/o 4, Jaisingh Road
New Delhi-110001.

APPLICANT

BY ADVOCATE SHRI RAMJI SRINIVASAN.

Vs.

1. Union of India
through the Secretary,
Ministry of Home Affairs
Government of India
North Block
New Delhi.
2. The Commissioner of Police
Police Headquarters
I.P.Estate
New Delhi.
3. The Department of Personnel &
Grievances, through the
Secretary, Ministry of Home Affairs
Government of India,
North Block
New Delhi.
4. Mr.M.A.J.Farooqui,
Deputy Commissioner of Police(New Delhi)
Parliament Street
New Delhi.
5. Mr.Qamar Ahmed
Supdt.of Police
Union Territory of Lakshadweep
6. Mr.M.S.Sandhu
Dy.Director(Enforcement)
Enforcement Directorate
Lok Nayak Bhavan
New Delhi.
7. Mr.M.A.Syed
Dy.Commissioner of Police(East)
Vishwas Nagar
Road No.57
New Delhi.

RESPONDENTS

SH.N.S.MEHTA, ADVOCATE FOR
RESPONDENTS 1 TO 3.

SH.ANIS SUHRAWARDY, ADVOCATE
FOR RESPONDENT No.4&5.

SH.NARESH KAUSHIK, ADVOCATE
FOR RESPONDENT No.7

ORDER(ORAL)

JUSTICE S.K.DHAON:

The applicant, an officer of the Indian Police Service and allocated to the Delhi, Andaman & Nicobar Island Police(DANP), feels aggrieved by his non-appointment

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to the Indian Police Service in the selection held in 1986.

2. The learned counsel for the private respondents vehemently contended that this is a highly belated application having been filed on 29.5.1992. Counsel for the applicant urged that the selection committee which considered his case for appointment to the Indian Police Service not only committed gross illegality but also caused grave injustice to the applicant. In order to examine this grievance, we directed Shri N.S.Mehta, Senior Standing Counsel, to produce the relevant record for our perusal. That has been done.

3. We have perused the relevant record. In particular, we have examined the Annual Confidential Reports of the applicant relating to the relevant years. We have also examined the proceedings of the selection committee and we are satisfied that the decision taken by that committee does not suffer from any infirmity at all. It necessary follows that the selection committee neither committed any illegality nor it acted unjustly while dealing with the case of the applicant. No satisfactory explanation has been offered as to why the applicant could not come to this Tribunal within a reasonable period from the year 1986. The only explanation offered is that the applicant having been promoted in the year 1991 to the Indian Police Service after superseding 6 officers, realised that his case may not have been appreciated in its proper perspective by the selection committee which met in 1986. We are not satisfied with this explanation.

4. Merit apart, this application has to be dismissed as barred by time.

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This application is dismissed but without any order
as to costs.


(B.K.SINGH)
MEMBER(A)

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(S.K.DHAON)
VICE-CHAIRMAN(J)