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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

Regn.No.OA 2280/1992

Date of decision: 13.01.1993.

Shri Kamal Singh & Others

...Applicants

Versus

Union of India through Commissioner  
of Police & Another

...Respondents

For the Applicants

...Mrs. Avnish Ahlawat,  
Counsel

For the Respondents

...Shri Gajraj Singh,  
Counsel

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN (J)

THE HON'BLE MR. B.N. DHOUNDIYAL, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment? *yes*
2. To be referred to the Reporters or not? *No*

JUDGMENT (ORAL)

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

We have heard the learned counsel of both parties and have gone through the records of the case carefully. The three applicants before us had appeared for a selection for the post of Constables in Delhi Police in 1985. They were declared successful. They have, however, not been given offers of appointment. Persons who were similarly situated had filed OA 640/1986 (Onkar Singh and 93 Others Vs. U.O.I. & Others) which was disposed of by

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Tribunal by judgment dated 22.08.1990. Thereafter, the applicants filed RA 136/1990 which was disposed of by the Tribunal by judgment dated 1.10.1991. The Tribunal has held that in case the applicants had already undergone the various tests and interviews, they shall not be subjected to the same tests and interviews now in implementation of the directions of the Tribunal. In case they were within the prescribed age limits at the time of the selection, they would be eligible for appointment now even though some of them may have, in the meanwhile, become overaged.

2. The upshot of the decisions of the Tribunal dated 22.08.1990 and 1.10.1991 is that those candidates who had been duly selected should be given offers of appointment and that the revised criteria adopted by the respondents should not be made applicable to them. The SLP Nos. 5018 and 5611 of 1991 filed by the respondents against the judgment of the Tribunal were disposed of by order dated 10.10.1991. The Supreme Court observed that the order of the Tribunal shall be implemented and that the SLPs have become infructuous in view of the judgment of the Tribunal dated 1.10.1991.

3. The learned counsel for the respondents submitted that the applicants made representations in July, 1992 and filed the present application in August, 1992 without giving adequate time to the respondents to consider their representations.

4. The application was filed in the Tribunal seeking interim relief to the effect that the applicants be sent for training along with other candidates who had been selected for the post of

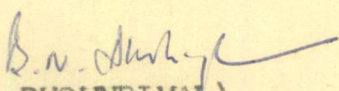
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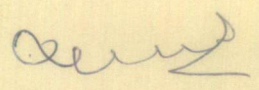
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Constables. As an interim measure, the Tribunal had directed on 03.09.1992 that three posts of Constables in the Delhi Police be kept vacant. This interim order has been continued thereafter till the case was finally heard today.

5. After hearing both parties, we dispose of the present application with the direction to the respondents to extend the benefit of the judgment of the Tribunal dated 22.08.1990 and 01.10.1991 in the case of Onkar Singh & 93 Others to the applicants before us. The applicants should be given offer of appointment as Constables and sent for training expeditiously and preferably within a period of 3 months from today's date. In the facts and circumstances of the case, the applicants would not be entitled to back wages but they will be entitled to the seniority in accordance with the rules.

There will be no order as to costs.

  
(B.N. DHOUNDIYAL)  
MEMBER (A)  
13.01.1993

  
(P.K. KARTHA)  
VICE CHAIRMAN (J)  
13.01.1993

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