

In the Central Administrative Tribunal

Principal Bench: New Delhi

OA No.877/92

Date of decision: 30.03.1993

Shri Sultan Khan & Others

...Applicants

Versus

Commissioner of Police & Others

...Respondents

Coram:-

The Hon'ble Mr. S.K. Dhaon, Vice-Chairman (J)

The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the applicants

Shri Aashish Kalia, Counsel.

For the respondents

Shri M.C. Garg, Counsel.

Judgement(Oral)
(Hon'ble Mr. S.K. Dhaon, Vice-Chairman (J))

The applicants were posted as Constables in the Central Reserve Police Force (CRPF) sometime in the year 1988. They were sent on deputation to the Delhi Police. Since then they are working with the Delhi Police. They apprehend that they would be repatriated to their parent department even though persons similarly situated as them have been absorbed on permanent basis in Delhi Police.

2. A reply has been filed on behalf of the respondents. In the reply the stand taken is that since the applicants are non-matriculates and since their parent department have refused to issue a 'no objection certificate' ^{with} in regard to them, it is not possible to absorb them in the Delhi Police. The applicants have pointed out that certain persons, whose particulars are mentioned in paragraph 4.5(b) of the Application, also non-matrics have not been repatriated to their parent department. Instead, they have been absorbed on permanent basis in the Delhi Police.

8w

2. Having considered the matter, we direct the respondents to consider the case of the applicants for absorption in the Delhi Police on the basis of the communication dated 11.7.1990 from DCP/HQ(I), Delhi to DCP/6th Bn. DAP, a true copy of which has been filed as Annexure A-2 provided:-

- a) Constables who are non-matric and are also similarly situated as the applicants, have been considered and absorbed in Delhi Police; and
- b) the parent department of the applicants gives a 'no objection certificate'.

4. With these observations this Application is disposed of finally. No costs.

S. K. Dhaon
(I.K. Rasgotra)
Member(A)

San.

S. K. Dhaon
(S.K. Dhaon)
Vice-Chairman