

Item No.16



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 1259/2021
M.A. No. 1587/2021
With
O.A. No. 2856/2019**

This the 19th Day of July, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A.K. Bishnoi, Member (A)**

OA No.1259/2021

Brijmohan Meena (ST) Group 'C'
Recruit SI (Ex.) in Delhi Police,
Roll No. 2201065754
Aged about 34 years
Constable (Ex.) in Delhi Police
PIS No. 28100370
S/o Sh. Ramroop Meena
R/o Vill : Khohra,
PO : Kherla, Tehsil : Mahwa,
Distt. : Dausa, Rajasthan

(By Advocate : Shri Anil Singal)

Versus

Union of India through

1. Secretary, DOPT, North Block, New Delhi.
2. Secretary, MHA, North Block, New Delhi.
3. L.G., Delhi, Raj Niwas, Delhi.
4. Commissioner of Police, PHQ, IP Estate, New Delhi.

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5. Staff Selection Commission,
Through its Chairman,
C.G.O. Complex, Lodhi Road,
New Delhi-110003.
... Respondents

(By Advocates : Ms. Esha Mazumdar,
Ms. Neetu Mishra for Shri K.M. Singh)

OA No. 2856/2019

Brijmohan Meena (ST) Group 'C'
Recruit SI (Ex.) in Delhi Police,
Roll No. 2201105867
Aged about 32 years
Constable (Ex.) in Delhi Police
PIS No. 28100370
S/o Sh. Ramroop Meena, R/o Vill : Khohra,
PO : Kherla, Tehsil : Mahwa,
Distt. : Dausa, Rajasthan.

... Applicant

(By Advocate : Shri Anil Singal)

Versus

Union of India through

1. Secretary, DOPT, North Block, New Delhi.
2. Secretary, MHA, North Block, New Delhi.
3. L.G., Delhi, Raj Niwas, Delhi.
4. Commissioner of Police, PHQ, IP Estate,
New Delhi.
5. Staff Selection Commission,
Through its Chairman,
C.G.O. Complex, Lodhi Road,
New Delhi-110003.
... Respondents

(By Advocate : Ms. Esha Mazumdar)

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O R D E R (ORAL)

Mr. Justice L. Narasimha Reddy, Chairman :

These two OAs are filed by the same individual, and they are disposed of through this common order.

2. The applicant is working as Constable (Executive) in Delhi Police. He intends to take part in the selection to the post of Sub Inspector. Earlier, when he was not being considered on account of some non-compliance with the standards, he filed O.A. No. 2856/2019 with a prayer to direct the respondents to relax certain parameters. An interim order was passed on 24.09.2019, directing the respondents to allow the applicant to appear in Paper-II of the Examination. It is stated that the applicant did not clear the test in High Jump.

3. Reconciling to the fact that he could not be considered for promotion in the year 2019, the applicant took part in the subsequent selection. This time, he did not clear the running race of 1.6 kms. The applicant filed O.A. No.1259/2021, with a prayer to direct the respondents to quash and set aside the Advertisement-2019 to the extent that it does not provide any relaxation in Physical Endurance Test (PET), and to quash the clauses that reduced the age limit to 30 years, 33 years and 35 years for various categories. He has also prayed

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for quashing various other provisions, that are said to be coming in the way of his being selected as Sub Inspector.

4. Today, we heard Mr. Anil Singal, learned counsel for the applicant and Ms. Esha Mazumdar & Ms. Neetu Mishra, proxy for Mr. K.M. Singh, learned counsel for the respondents.

5. The applicant intends to take part in the test for promotion to the post of Sub Inspector. By its very nature, the post of Sub Inspector is pivotal in the entire administration and only the candidates, who are fit in various parameters, need to be appointed. The applicant is holding the post of Constable (Executive). Though it is always open for him to take part in the selection process for the post of Sub Inspector, he has to comply with the parameters, stipulated for that. The relaxation of the conditions stipulated for that would defeat the very purpose of the selection.

6. We do not find any merit in both the O.As. and the same are accordingly dismissed. Pending MA(s) shall stand disposed of. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/jyoti/vb/sd/akshaya/