

**Central Administrative Tribunal
Principal Bench, New Delhi**

**OA No.1933/2019
MA No.917/2021**

This the 1st day of April, 2021

(Through Video Conferencing)

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

ASI (Exe.) Sunil Gaur,
Belt No.633/A, PIS No.28862979,
S/o Sh. S.K. Gaur,
R/o K-1/6, Street No.34
Raja Puri Opp.
Sector-4, Dwarka

Presently posted at :-

Police Station, Airport,
Delhi
Group 'C', Aged 52 years.

...Applicant

(By Advocate : Shri Sourabh Ahuja)

Versus

... Respondents

1. GNCT of Delhi
Through Commissioner of Police,
Police Head Quarters, IP Estate,
MSO Building, New Delhi.
2. Deputy Commissioner of Police,
(Establishment) PHQ, IP Estate,
MSO Building, New Delhi.

...Respondents

(By Advocate : Shri Anuj Kumar Sharma)



ORDER (ORAL)**Justice L. Narasimha Reddy, Chairman :-****MA 917/2021**

This Application is filed with a prayer to dispose of the OA, taking into account, the orders passed by the Hon'ble Supreme Court. MA is ordered.

OA 1933/2019

2. The applicant made a representation for re-fixation of his seniority in the rank of Head Constable (Executive) from the date of out of turn promotion on adhoc basis. He placed reliance upon the judgment of the Full Bench of this Tribunal in OA No. 2047/2006. The Deputy Commissioner of Police (Establishment), the 2nd respondent herein, passed an order dated 26.04.2019 stating that the matter was pending before the Hon'ble Supreme Court in an SLP, and stated that it would be decided, depending upon the outcome of the said SLP. Challenging the same, the applicant filed the present OA.

3. The respondents have also filed a detailed counter affidavit.



4. Today, we heard Sh. Sourabh Ahuja, learned counsel for the applicant and Sh. Anuj Kumar Sharma, learned counsel for the respondents.

5. The only basis for the 2nd respondent to defer the consideration of the representation of the applicant was the pendency of the SLP. Today, it is stated that the Hon'ble Supreme Court has decided the matter on 04.03.2021. A copy thereof is also filed.

6. We, therefore, dispose of the OA directing the 2nd respondent to pass orders on merits of the matter within a period of two months from the date of receipt of a copy of this order.

There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

pj/rk/mbt/ns