

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

**ORDERS OF THE BENCH**

**Date of Order: 24.09.2013**

MA No. 329/2013 (CP No. 15/2013)  
(OA No. 516/2012)

Mr. C.B. Sharma, counsel for applicants.  
Mr. V.D. Sharma, counsel for respondent nos. 1 & 5.  
Mr. Mukesh Agarwal, counsel for respondent nos. 2 to 4.

MA No. 329/2013

Heard on the Misc. Application 329/2013 filed on behalf of the applicants praying for early hearing of the Contempt Petition. Having considered the submissions made on behalf of the respective parties, the Contempt Petition is taken up for hearing today itself. Accordingly, the Misc. Application is disposed of.

CP No. 15/2013

Heard learned counsel for the parties.

Contempt Petition is closed by a separate order on the separate sheets for the reasons recorded therein.

*Anil Kumar*

(ANIL KUMAR)  
ADMINISTRATIVE MEMBER

(DR. K.B. SURESH)  
JUDICIAL MEMBER

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

CONTEMPT PETITION NO. 15/2013  
IN  
ORIGINAL APPLICATION NO. 516/2012

**DATE OF ORDER:** 24.09.2013

**CORAM**

**HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER**  
**HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER**

Satish Kumar Khurana S/o Shri Basant Lal Khurana, aged about 58 years, R/o R-396, Padam Villa, Krishna Nagar, Bharatpur and presently posted as Additional Superintendent of Police, C.I.D. (S.B.), Zone Bharatpur, District Bharatpur.

...Petitioner

Mr. C.B. Sharma, counsel for petitioner.

**VERSUS**

1. Shri Sudarshan Sethi, Principal Secretary, Department of Personnel, Government of Rajasthan, Secretariat, Jaipur.
2. Shri P.K. Mishra, Secretary, Ministry of Personnel, Public Grievances and Pensions, Government of India, Department of Personnel and Training, North Block, New Delhi.
3. Shri R.K. Singh, Secretary, Ministry of Home Affairs, Government of India, New Delhi.
4. Shri D.P. Agarwal, Secretary, Union Public Service Commission, Dholpur House, Shahajahan Road, New Delhi.
5. Shri Ashok Sampatram, Principal Secretary, Department of Home, Government of Rajasthan, Secretariat, Jaipur.

...Respondents

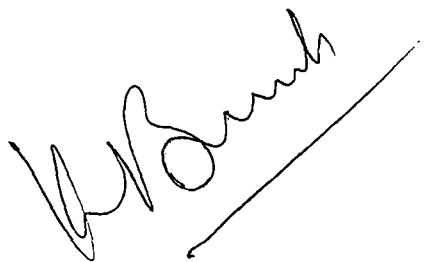
Mr. V.D. Sharma, counsel for respondent nos. 1 & 5.

Mr. Mukesh Agarwal, counsel for respondent no. 2 to 4.

**ORDER**

**(Per DR. K.B. SURESH, JUDICIAL MEMBER)**

We have heard the matter in great detail and examined the proceedings of other courts.



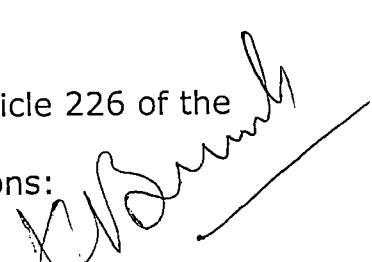
2. Learned counsel for the respondents submits that in S.B. Civil Writ Petition No. 6394/2013 and S.B. Civil Writ Petition No. 6720/2013 vide order dated 23<sup>rd</sup> of May, 2013 passed by the Hon'ble Rajasthan High Court, Jaipur Bench, further exercise pursuant to the order of the Tribunal will remain subject to the final outcome of the writ petitions and therefore, they could not consider him for IPS cadre.

3. Learned counsel for the respondents takes our attention to the Annexure R/1, which is letter No. F.6(1)Pers/A-1/2007 dated 25<sup>th</sup> February, 2013 wherein the State of Rajasthan had answered to the representation that the State Government has decided to comply with the order dated 17.12.2012. Home Department has been requested to send necessary proposal to the Department of Personnel, Government of Rajasthan for further transmission to the Union Public Service Commission to review the complete Select List of the year 2008 prepared in the Selection Committee Meeting held on 27.06.2008.

4. Therefore, it only remains for us to fix a date for such consideration of the Select List.

5. Learned counsel for the respondents submits that some of the respondents in the personal capacity have been transferred. If that be so, substitutes of them or in-charge officer may be allowed to function but then it shall not be held that for mere delay, a person's career is to be jeopardized.

6. In view of the responsibility placed under Article 226 of the Constitution of India, we pass the following directions:



(i). The State of Rajasthan, the Home Department or the Department of Personnel shall take immediate step for review consideration of the Select List of the year 2008 in view of the Selection Committee Meeting held on 27.06.2008 within ten days next.

(ii). Appropriate decision for reasons shall be taken in the matter with an expedience and dedication.

7. With these observations, the Contempt Petition is now closed. Notices issued earlier to the respondents are discharged.



(ANIL KUMAR)  
ADMINISTRATIVE MEMBER



(DR. K.B. SURESH)  
JUDICIAL MEMBER

kumawat