

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 14.07.1999

OA No.514/96

S.P.Khadgavat S/o Shri N.R.Khadgawat working as Additional Superintendent of Police, Crime Branch, Jaipur, Police Headquarters, Jaipur.

.. Applicant

Versus

1. Union of India through the Secretary to the Govt. of India, Department of Personnel, Ministry of Home Affairs, New Delhi.
2. Union Public Service Commission, New Delhi through its Chairman.
3. State of Rajasthan through its Chief Secretary, Rajasthan Secretariat, Jaipur.
4. Additional Chief Secretary, Department of Home and Justice, Government of Rajasthan, Rajasthan Secretariat, Jaipur.

.. Respondents

Mr. K.L.Thawani, counsel for the applicant.

Mr. S.S.Hasan, counsel for respondent Nos. 1 and 2

Mr. U.D.Sharma, counsel for the respondent Nos. 3 and 4.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

Applicant, S.P.Khadgavat, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for the following reliefs:

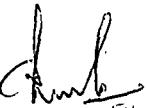
- "1) That the respondents be directed by issuance of an appropriate order that the select list finalised and approved by the U.P.S.C. and Central Government in 1995 should not be cancelled but implemented, forthwith.
- 2) That the seniority of the humble applicant should be retained over the candidates of SC/ST who have been given accelerated promotions by virtue of reservation quota in Rajasthan Police Service from Deputy Superintendent of Police to Additional Superintendent of Police in various scales viz. senior scale, selection scale and super time scale.
- 3) That the respondents be directed to retain the seniority of the humble applicant by applying the principles laid down in the judgment of the Hon'ble Supreme Court in the case of Ajit Singh Januja and Ors. Vs. State of Punjab and Ors. and Harbhajan Singh and Anr. Vs. State of Punjab and Ors. pronounced on 1.3.1996 (AIR 1996 SC 1189).
- 4) Any other relief which this Hon'ble Tribunal thinks just and

(Article 4)

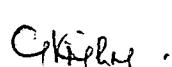
proper in favour of the humble applicant including costs."

2. We have heard the learned counsel for the parties and have carefully perused the records.

3. The learned counsel for respondents Nos. 3 and 4 has produced a copy of the notification dated 24.8.98 whereby the applicant, S.P.Khadgavat, has been appointed by promotion to the Indian Police Service alongwith others and allocated to the cadre of Rajasthan. The grievance of the applicant has, admittedly, been redressed. The present applicant has, therefore, become infructuous and it is dismissed with no order as to costs.


(N.P.NAWANI)

Adm. Member


(GOPAL KRISHNA)

Vice Chairman