

VA

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 06.02.2012

OA No. 231/2007

None present for applicants.

Mr. Mukesh Agarwāl, counsel for respondent no. 1.

Mr. V.D. Sharma, counsel for respondent nos. 2 & 3.

None present for other respondents.

Heard. OA is disposed of by a separate order on the separate sheets for the reasons recorded therein.

Anil Kumar
(ANIL KUMAR)

MEMBER (A)

J. S. Rathore
(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 231/2007

DATE OF ORDER: 06.02.2012

CORAM

**HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER**

1. Yashpal Sharma S/o Shri M.L. Sharma, aged about 55 years, R/o D-187, Hanuman Nagar, Jaipur, at present working as Addl. S.P. (Legal Cell), Police Headquarter, Jaipur.
2. Vasudev Bhatt S/o late Shri Kalidas Bhatt, aged about 56 years (18.12.1950), R/o Civil Line, Pratapgarh (Raj.), at present working as Addl. S.P., Pratapgarh District Chittorgarh (Raj.).
3. Suresh Chandra Pandya S/o Shri Roop Shanker, aged about 56 years, R/o Village & Post Kamba District Doongarpur (Raj.), at present working as Commandant, M.B.C. Kherwara (Raj.).

...Applicants

None present for the applicants.

VERSUS

1. The Union of India through the Secretary to the Government, Ministry of Home Affairs, Government of India, New Delhi.
2. State of Rajasthan through the Secretary, Department of Personnel, Government of Rajasthan, Secretariat, Jaipur.
3. Principal Secretary to Government, Home Department, Government of Rajasthan, Secretariat, Jaipur.
4. Union Public Service Commission through its Chairman, New Delhi.
5. Shri B.P. Verma, retired IPS, R/o Plot no. 69, Rameshwar Dham – Murlipura Scheme, Jaipur.
6. Shri Laxmi Narain Meena, S.P. (C.I.D.), Special Security Branch (SSB), Police Headquarter, Jaipur.
7. Shri Gurucharan Rai, Commandant, 12th RAC, New Delhi.
8. Shri Giriraj Lal Meena, S.P. Tonk, Rajasthan.
9. Shri Gajanand Verma, S.P. Vigilance, P.H.Q., Jaipur.
10. Shri K.L. Bairwa, S.P. Banswara, Rajasthan.
11. Shri Vijendra Jhala, S.P. Dungarpur, Rajasthan.
12. Ms. Badam Bairwa, S.P. Anti Corruption Bureau (ACB), Jaipur.
13. Shri B.D. Aswal, retired R.P.S., R/o A-223, Hanuman Nagar, Jaipur.

...Respondents

Mr. Mukesh Agarwal, counsel for respondent no. 1.

Mr. V.D. Sharma, counsel for respondent nos. 2 & 3.

None present for other respondents

ORDER (ORAL)

Learned counsel appearing for the respondent no. 1 submits that in the present Original Application, the question of fixing the upper age limit is under challenge, and the same subject matter is pending consideration before the Hon'ble Supreme Court. It is further submitted by the learned counsel appearing for the respondent no. 1 that in OA No. 199/2008 (Mahipal Singh vs. UOI & Ors.), which was disposed of vide order dated 14.07.2011, the learned senior counsel for the applicant admitted that the controversy involved in that OA has been challenged by one Shri Bhanwar Singh Nathawat before the Hon'ble Supreme Court in Writ Petition (Civil) No. 266/2008 and the matter is still pending consideration before the Hon'ble Supreme Court. In view of this fact, the said OA was disposed of subject to the decision to be taken by the Hon'ble Supreme Court.

2. Since the similar controversy is involved in the present Original Application, we deem it proper to dispose of this Original Application subject to the decision to be taken by the Hon'ble Supreme Court in the case of Shri Bhanwar Singh Nathawat, Writ Petition (Civil) No. 266/2008, which is pending consideration before the Hon'ble Supreme Court.

3. Consequently, the present Original Application stands disposed of subject to the final outcome of the Writ Petition (Civil) No. 266/2008 filed by Shri Bhanwar Singh Nathawat.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

K. S. Rathore
(JUSTICE K.S. RATHORE)
MEMBER (J)