

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

O.A No.1521/2017

**Reserved On:24.01.2018
Pronounced on:31.01.2018**

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)

1. Shri Rajbeer Singh
Aged about 58 years
S/o Late Harbans Lal Yadav
R/o RZD-64, Gali No.4/5,
Mahavir Enclave, Part-I,
Palam-Dabri Road,
New Delhi
(working as Sub Officer in Delhi Fire Service,
Group 'C')
2. Shri Satish Kumar
Aged about 51 years
S/o Late Jai Narayan,
R/o H.No.16, Mahipalpur,
New Delhi.
(Working as Sub Officer in
Delhi Fire Service,
Group 'C').

... Applicants

(By Advocate: Shri S.K. Gupta)

Versus

Govt. of NCT of Delhi through

1. Chief Secretary,
Govt. of NCT of Delhi,
Delhi Secretariat,
Players Building,
I.P. Estate,
New Delhi.
2. Principal Secretary (Home),
Govt. of NCT of Delhi,
Delhi Secretariat,
Players Building,
I.P. Estate,

New Delhi.

3. Director,
Delhi Fire Service,
Fire Headquarters,
Connaught Circus,
New Delhi. ... Respondents

(By Advocate: Shri Vijay Pandita)

ORDER

By Mr. V. Ajay Kumar, Member (J)

The applicants, 2 in number and working as Sub Officers in the respondent-Delhi Fire Service (DFS), filed the OA seeking a direction to the respondents to enforce an observation made by one of the officers of the respondent-department in the note file to the effect that “to constitute review DPC”.

2. Heard Shri S.K. Gupta, learned counsel for the applicant and Shri Vijay Pandita, learned counsel for the respondents and perused the pleadings.

3. In **Sethi Auto Service Station & Another Vs. Delhi Development Authorities and Another**, (2009) 1 SCC 180, the Hon’ble Apex Court observed as under:-

“Needless to add that internal notings are not meant for outside exposure. Notings in the file culminate into an executable order, affecting the rights of the parties, only when it reaches the final decision-making authority in the department; gets his approval and the final order is communicated to the person concerned”.

4. In **Jasbir Singh Chhabra and Others Vs. State of Punjab and Others**, 2010 (4) SCC 192 and **State of Bihar Etc. Vs. Kripalu**

Shankar Etc., 1987 (3) SCC 34 also the Hon'ble Apex Court held in the same lines.

5. Admittedly, the applicants are seeking a direction from this Tribunal to enforce a noting made in the note file to the effect "to constitute review DPC", by an officer which has not yet been crystallized into any formal order and communicated to any authority or to applicants.

6. In view of the above referred observations of the Hon'ble Apex Court, the OA is not maintainable and accordingly the same is dismissed being devoid of any merit. However, this order shall not preclude the respondents from taking the view expressed in the Note File to a logical end, if they so desired. No costs.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

RKS