

**Central Administrative Tribunal
Principal Bench**

**OA No.2820/2014
MA No.4243/2017
MA N.2438/2014**

New Delhi, this the 20th day of November, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

1. Hitesh Bhardwaj, Aged about 33 years
S/o Sh. Gyan Prakash Bhardwaj
R/o H.No. 113, Village Neelwal
Delhi-110041.
2. Umesh Kumar, Aged about 24 years
S/o Sh. Sher Singh
R/o VPO Kasaar, Tehsil Bahadugarh
Jhajjar, Haryana.Applicant

(By advocate: Shri M.K. Bhardwaj)

Versus

1. UOI & Ors. through Secretary
DOP&T, North Block
New Delhi-110001.
2. Staff Selection Commission through its Chairman
Block No.12, CGO (Complex)
Lodhi Road, New Delhi-110003.
3. The Regional Director
Staff Selection Commission
Block No.12, CGO (Complex)
Lodhi Road, New Delhi-110003.
4. The Commissioner, Delhi Police
PHQ, IP Estate, New Delhi-110002. Respondents

(By Advocates: Shri N.K. Singh for Ms. Rashmi Chopra and
Shri N.D. Kaushik)

ORDER (ORAL)**Justice Permod Kohli :-****MA No.4243/2017(Pre-ponment)**

In view of the averments made in the MA, the OA listed on 31.01.2018 is hereby pre-poned and taken up for hearing today.

OA No.2820/2014

2. Heard the learned counsel for the parties. In this OA the applicants have challenged the show cause notice dated 27.06.2014 and for a further direction for their appointment as SI (Executive) as per their rank and merit in the Delhi Police Recruitment held in the year 2012.

3. A similar controversy was decided by this Tribunal in OA No.930/2014 and connected matters. The said OA was decided vide judgment dated 30.07.2014 wherein the following directions were issued:-

"48. In view of the aforesaid reasons, we hold that the impugned second show cause notice dated 28.01.2014 (in the lead OA) as well as the show cause notice issued to all applicants in the connected OAs, are not fit to be legally sustained. Accordingly, we quash and set aside the same. Consequently, the respondents are directed to declare the result of all applicants in these OAs and to allocate them the Service for which they have been found eligible on the basis of pure merit, if they have been found

successful. We clarify that while doing so the respondents shall take action fully in consonance with the rules and instructions governing the subject while declaring the result and for allocating the service for which the applicants are found successful on the basis of merit. The afore-mentioned action shall be completed within a period of three months from the date of receipt of a copy of this order.

49. All these OAs are allowed as per the aforesaid directions in this common order. With the passing of this order, interim orders, if any shall stand vacated. In the circumstances, parties shall bear their own costs."

4. The aforesaid Order passed by this Tribunal was challenged by respondent No.1 before Hon'ble High Court of Delhi in WP(C) No.9055/2014. The said Writ Petition was dismissed vide judgment dated 19.12.2014. An SLP was preferred against the said judgment. Earlier this OA was adjourned *sine die* vide order dated 08.03.2016 awaiting the outcome of the Special Leave Petition pending before the Hon'ble Apex Court. Now the SLP which was later converted into Civil Appeal Nos.2836-2838/2017 and 2839/2017, has been disposed of by the Hon'ble Supreme Court vide judgment dated 19.07.2017. The review preferred by the respondents against the said judgment has also been dismissed on 31.10.2017.

5. In this view of the matter, the Order passed in OA No.930/2014 has attained finality. The controversy being squarely covered by the said Order, this OA is disposed of in terms of the aforesaid judgment.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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