

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

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**ORIGINAL APPLICATION NO.60/1168/2018 &
MA No.60/1511/2018**

Chandigarh, this the 31st day of October, 2018

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

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1. Nitya Nand S/o Lt. Sh. R.K. Yadav, aged 54 years, working as DSP IRB, Sarangpur, Chandigarh-160014. Group 'A'.
2. Amrao Singh S/o Sh. Jagbir Singh, age 51 years, working as DSP Traffic Office of SSP Police Head Quarter Sector-9, Chandigarh-160009.
3. Jaswinder Singh S/o Sh. Ajit Singh, age 53 years, working as DSP Traffic Office of SSP Police Head Quarter Sector-9, Chandigarh-160009.
4. Charanjit Singh, S/o Sh. Gurbachan Singh, age 52 years, working as DSP Traffic Office of SSP Police Head Quarter Sector-9, Chandigarh-160009.
5. Harjit Kaur W/o Sh. Tejinder Singh, aged 52 years, working as DSP East, Office of SSP Police Head Quarter Sector-9, Chandigarh-160009.
6. Kirpal Singh, S/o Sh. Ajmer Singh, age 52 years, working as Inspector Vigilance, SSP Police Head Quarter Sector-9, Chandigarh-160009.
7. Neeraj Sarna S/o Sh. B.R. Sarna, R/o House No.3-A, Sector 34-D, Chandigarh Police Colony, Chandigarh-160022.
8. Ranjodh Singh, S/o Malkit Singh, R/o House No.2587, Sector 79, SAS Nagar, Mohali-140308.
9. Dalbir Singh, S/o Sh. Didar Singh, age 52 years, working as Inspector Office of AHTU Sector-17, Chandigarh 160017.

10. Shri Prakash, S/o Sh. Mangat Ram Bhardwaj, age 51 years, working as Inspector office of DGP, SSP Head Quarter, Police Line Sector 26, Chandigarh-160019.
11. Gurjeet Kaur, Inspector, W/o Sh. Paul Singh, aged 51 years, R/o H. No.2827, Sector 42-C, Chandigarh, working as Inspector, P.S. Sector 31, Chandigarh 160036.

... APPLICANTS

(Present: Mr. Rohit Seth, Advocate)

VERSUS

1. Union of India through Secretary, Government of India, Ministry of Home Affairs, North Block, New Delhi-110001.
2. Union Public Service Commission through its Secretary, Dholpur House, Shahjahan Road, New Delhi-110001.
3. Union of India through its Secretary, Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, North Block, New Delhi-110001.
4. Chandigarh Administration through its Administrator, Union Territory, Secretariat, Sector-9, Chandigarh 160009.
5. Chandigarh Administration through its Advisor, Union Territory, Secretariat, Sector-9, Chandigarh 160009.
6. Hone Secretary, Chandigarh Administration, Union Territory, Secretariat, Sector-9, Chandigarh 160009.
7. Inspector General of Police, Chandigarh Police Headquarters, Additional Deluxe Building, Sector-9, Chandigarh 160009.

... RESPONDENTS

(Present: Mr. Rakesh Sobti, Advocate)

ORDER (Oral)

...
SANJEEV KAUSHIK, MEMBER (J):-

MA No.060/01511/2018

1. Heard.
2. The present Miscellaneous Application has been filed under Rule 4 (5) (a) of the C.A.T. (Procedure) Rules, 1987, seeking permission to allow the applicants to file a joint petition. For the reasons stated therein, the same is allowed, permitting the applicants to file a joint OA.

OA No.060/01168/2018

1. Challenge in the present Original Application (OA) is to the notification dated 25.09.2018 (Annexure A-1), vide which the DANIPS Rules have been modified to the extent of having within its purview, 17 posts of DSP's of UT Cadre Chandigarh also.
2. On notice, Mr. Rakesh Sobti, learned counsel for the respondents appeared. He informed this court that a conscious decision has been taken by the Ministry of Home Affairs to keep the notification under challenge, relating to the merger of the cadre of applicants with DANIPS, in abeyance for the time being. Therefore, he submitted that this petition be disposed of as having been rendered infructuous.
3. Learned counsel for the applicants, on the other hand, produced a communication dated 16.10.2018, issued by the Government of India, Ministry of Home Affairs, and submitted on that basis, that this petition is still maintainable as the

substantive issue qua merger of cadre remains to be adjudicated upon. However, he could not dispute that due to notification having been kept in abeyance, the cause of action in favour of the applicants does not survive, and OA stands rendered infructuous, in the present set of circumstances.

4. In view of the above, the instant OA is disposed of as having been rendered infructuous, at this stage.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 31.10.2018.

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