

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/01021/2018

Jabalpur, this Tuesday, the 30th day of October, 2018

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

1. Mukesh Kumar Shrivastava, I.P.S, S/o late Shri Prem Narayan Shrivastava, aged about 51 years, Commandant, 5th Battalion, R/o Bunglow No. A/1, SAF Parisar, Morena (M.P.) – 476001, Mobile No.94254-81900.

2. Santosh Singh Gour, I.P.S, S/o Shri T.N. Singh, aged about 51 years, Superintendent of Police, Satna, R/o SP Bunglow, Civil Lines, Satna, Distt. Satna (M.P.) 485001, Mobile No.9425075000.

3. Sunil Kumar Pandey, I.P.S, S/o Shri Kripashankar Pandey, aged about 49 years, Commandant, 13th Battalion, R/o PGB Bunglow No.7, Tonta Ki Bajariya, Kampu Lashkar, Gwalior, District : Gwalior (MP) – 474001. Mobile No.94254-70870.

4. Manoj Kumar Singh, I.P.S. S/o Shri Aniruddh Singh, aged about 51 years, Superintendent of Police Mandsaur, R/o SP Bunglow, M.H.O.W., Neemuch Road, Mandsour, District : Mandsour (MP) 458001. Mobile 9425386519

-Applicants

(By Advocate – Shri Utkarsh Agrawal)

V e r s u s

1. Union of India through its Secretary, Ministry of Home Affairs, Department of DoPT, North Block, Central Secretariat, New Delhi 110001.

2. Union Public Service Commission through its Secretary, Dholpur House, Shahjahan Road, New Delhi, Pin Code 110069.

-Respondents

(By Advocate – Shri Surendra Pratap Singh appearing on advance notice)

ORDER (O R A L)

MA No.200/1210/2018 has been filed by the applicants seeking permission to file joint application for all the applicants. It has been submitted that all the four applicants have common interest and are seeking common relief.

2. Accordingly, MA is allowed. Applicants are permitted to prosecute the matter together.

3. The applicants, through this Original Application, are seeking direction to the respondents to make their year of allotment of IPS as 2008 instead of 2009 in terms of Rule-3 (3) (ii) of India Police Service (Regulation of Seniority) Rules, 1988.

4. The case of the applicants is that they appeared in the competitive examination conducted by the Madhya Pradesh Public Service Commission and after due selection, they were appointed to the post of Deputy Superintendent of Police in the year 1994. Since the applicants joined on 01.02.1994, the services of the applicants were counted as 20 years, i.e. from 01.01.1995 to 31.12.2014, and therefore, they were allotted IPS in the year 2009 instead of 2008. The main contention of the applicants is that other similarly situated officers have been given the benefit of Rule-3 (3) (ii) of Indian Police Service (Regulation of Seniority) Rules, 1988.

5. Learned counsel for the applicants submits that the applicants have made their individual representation (Annexure A-4 collectively) to the respondent department for redressal of their grievances raised in this Original Application, which is still pending. At this stage, he submits that applicants would be satisfied if the respondents are directed to consider and decide their pending representation in a time-bound manner.

6. I feel that the prayer made by learned counsel for the applicants is genuine particularly when the representations filed by the applicants, individually, are still pending. Accordingly, without going into the merits of the case, this Original Application is disposed of with a direction to the respondents to decide the applicants' individual representation (Annexure A-4 colly.) by passing a reasoned and speaking order, within a period of sixty days from the date of receipt of a copy of this order.

7. The O.A is disposed of in the above terms.

(Ramesh Singh Thakur)
Judicial Member

am/-