

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

O.A. No. 626/2018
M.A. No. 1810/2019

The 30th day of May, 2019

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

HC Raghuvender Singh
Belt No.506/C, PIS No.28861133
S/o Late Shri Ved Ram,
R/o H.No.315, Vill. & PO Bakhtawar Pur,
Delhi-110036.

Presently posted at:-
Central District Lines,
Group 'C', Aged 51 years.

.. Applicant

(By Advocate: Shri Sourabh Ahuja)

Versus

1. GNCT of Delhi
Through Commissioner of Police (Delhi Police),
Police Headquarters, I.P. Estate,
MSO Building, New Delhi.

2. Deputy Commissioner of Police,
(Establishment),
PHQ, I.P. Estate,
MSO Building, New Delhi.

.. Respondents

(By Advocate : Mrs. Harvinder Oberoi)

ORDER (ORAL)

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

M.A. No.1810/2019

The instant MA is filed seeking preponement of the hearing in the O.A. No.626/2018. With the consent of both the

counsel, the MA is allowed and the main O.A. itself is taken up for hearing.

O.A. No.626/2018

Heard both the sides.

2. The applicant, a Head Constable in the respondent – Delhi Police, filed the O.A. seeking the following relief(s):

- “(a) Quash and set aside impugned order dated 20/12/2017 qua the Applicant. And
- (b) Direct the respondents to fix/re-fix the seniority of the Applicant in the rank of Head Constable (Exe.) w.e.f. December, 1994, in terms of the law laid down by the Larger Bench of this Hon’ble Tribunal in Abdul Nazeer Kunju’s case subject to the outcome of SLP (C) No. 11470/2014 etc. and accord all the consequential benefits to the Applicant arising there from viz. promotion, seniority, difference in pay, revisiting orders (supra) etc. And
- (c) Award cost in favor of the Applicant and against the respondents. And/or
- (d) Pass any further order, which this Hon’ble Tribunal may deem fit, just equitable in the facts and circumstances of the case”.

3. It is submitted that the applicant is identically placed like the applicants in O.A. No.2996/2017 - ASI (Exe.) Surender Kumar vs. GNCT of Delhi and Another and batch, decided on 06.02.2019 and the applicant would be satisfied if the O.A. is disposed of in terms of the said judgment.

4. The operative portion of the judgment of the said batch of O.As. is as under:

“12. In view of the aforesaid detailed judgements of the Larger Bench of this Tribunal and of the Hon’ble High

Court of Delhi, and also in view of the compliance of the said decisions by the respondents, though subject to the result of the SLP, we are of the considered view that the present O.As. are also liable to be allowed, for parity of reasons. Accordingly, all the O.As. are allowed and the impugned orders are set aside, and consequently, the respondents are directed to extend the benefit of the Larger Bench Judgment in **Abdul Nazeer Kunju's** case to the applicants, with all consequential benefits, if they are identically placed, however, subject to the result of the SLP pending before the Hon'ble Apex Court. This exercise shall be completed within three months from the date of receipt of a certified copy of this order. No order as to costs."

5. In the circumstances, without going into the merits of the case, the O.A. is disposed of, in terms of the judgment dated 06.02.2019 in O.A. No.2996/2017 - ASI (Exe.) Surender Kumar vs. GNCT of Delhi and Another and batch. No order as to costs.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

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