

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A./100/4589/2018

New Delhi, this the 18th day of March, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Rupinder Kumar
S/o Shri H.R. Swan
R/o G-11, GO's Flats, New Police Lines,
Kingsway Camp,
New Delhi-110009 ...Applicant

(Through Shri Ajesh Luthra, Advocate)

Versus

1. Union of India
Through its Secretary,
Ministry of Home Affairs,
North Block, New Delhi
2. Union Public Service Commission
Through its Secretary
Dholpur House, Shahjahan Road,
New Delhi-110069 ... Respondents

(Through Shri Y.P. Singh, Advocate for respondent 1
Shri R.V. Sinha with Shri Amit Sinha, Advocate
for respondent 2)

ORDER (Oral)

Justice L. Narasimha Reddy, Chairman

The applicant was an officer of Delhi, Andaman & Nicobar Island Police Service (DANIPS). In the provisional seniority list dated 31.05.2017, he was shown at serial number 264. He submitted a representation

objecting to the same. According to him, he ought to have been shown at serial number 261. The Ministry of Home Affairs (MHA) accepted the plea of the applicant and placed him at serial number 261.

2. Thereafter, the applicant made a representation to the respondents stating that he was promoted to IPS and put in the batch of 2002 on the basis of his place in the seniority list at serial number 264 and that in view of the correction and placement at serial number 261, he is entitled to be placed in the batch of 2001. His grievance is that no action has been taken on his representation. The applicant relies on two orders passed by this Tribunal i.e. dated 25.05.2017 in OA 1972/2016 and dated 17.01.2018 in OA 26/2018. He has also filed copies of orders whereby the directions of the Tribunal were implemented.

3. The respondents filed detailed counter affidavit. According to them, the applicant was considered for promotion to IPS and was also assigned the proper year of allotment. It is stated that there is no provision for reviewing the Select List, once it is issued.

4. Heard Shri Ajesh Luthra, for the applicant, Shri Y.P. Singh, for respondent 1 and Shri R.V. Sinha with Shri Amit Sinha, for respondent 2.

5. The applicant was promoted to IPS of batch 2002 on the basis of his place in the seniority list at Serial no.264 in the DANIPS. On a representation made by him, his seniority was restored and he was placed at Serial no. 261. If on the basis of that, he is entitled to be put in the batch of 2001, there is no reason why the relief should be denied to him.

6. In identical situation, prayer was allowed and direction was given to assign the proper year of allotment to the applicants in the two OAs referred to above.

7. We, therefore, allow the OA directing the respondents herein to revise the year of allotment of the applicant, on the basis of his seniority in DANIPS at Serial no.261. This exercise shall be completed within a period of eight weeks from the date of receipt of a certified copy of this order. There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman