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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.3154 OF 2003

New Delhi, this the 31th day of December, 2003

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Tej-Pal-Singh
Constable/Armourer
No.1817/DAP IInd Battalion,
PIS No.28823052
Quarter No.95, H Block, Phase-I,
Police Colony, Ashok Vihar,
New Delhi-110052.

....Applicant

(By Advocate : Shri S.N. Anand)

Versus

1. The Commissioner of Police,
Police Headquarters,
IP Estate, ITO Complex,
Delhi.
2. The Additional Commissioner of Police,
Establishment,
Police Headquarters,
IP Estate, ITO Complex,
Delhi.

.....Respondents

ORDER (ORAL)

SHRI JUSTICE V.S. AGGARWAL :-

The applicant joined Delhi Police as Constable (Executive) in the year 1982. He continued to work there till the year 1999. He applied and was absorbed in Armourer Cadre in June, 1999.

2. The precise grievance presently is that he found subsequently that the promotion avenues in new cadre are almost nil, therefore, the applicant requested that he be sent back to the cadre of Constable (Executive).

3. In support of his claim, learned counsel of the applicant contends that certain other constables,

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who had also been absorbed, have been allowed to revert--back to the original cadre and he has been discriminated.

4. From the appraisal of the fact, we find that the contention so much thought off is simply to be stated to be rejected. If in any particular case an individual is allowed to revert back to his parent cadre that would be confined to the facts and circumstances of that particular case. It cannot be taken to be a right, of every person who has been absorbed in a cadre, to revert back at his own choice. Therefore, this plea must fail.

5. The applicant had, at his own sweet will, opted to be absorbed in the Armourer Cadre and, therefore, he cannot claim it as a right that he must be reverted back to the cadre of Constable (Executive). We find the Original Application to be without merits and fail. Accordingly, the Application is dismissed in limine.



(R.K. UPADHYAYA)
ADMINISTRATIVE MEMBER



(V.S. AGGARWAL)
CHAIRMAN

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