
(2021) 06 CAT CK 0061

In the Central Administrative Tribunal

Case No : Original Application No. 180, 267 Of 2021

Iqbal

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 23-06-2021

Acts Referred:

Citation : (2021) 06 CAT CK 0061

Hon'ble Judges : P. Madhavan, Member (J)

Bench : Single Bench

Advocate : Saju Wahab, Anil Ravi, Thomas Mathew Nellimoottil , M. Rajeev

Final Decision : Disposed Of

Judgement

P. Madhavan, Member J

1. Heard Advocate Mr. Saju Wahab appearing for the applicant, Advocate Mr. Anil Ravi, ACGSC appearing for respondent No. 1, Advocate Mr.

Thomas Mathew Nellimoottil, appearing for respondents Nos. 2 & 3 and Advocate Mr. M. Rajeev, GP appearing for respondents Nos. 4 & 5, through

video conferencing.

2. The brief facts of the case are that the applicant was working as an Assistant Superintendent of Police (Non-IPS) in the State Police Service and

retired from service on superannuation on 30.04.2020. The applicant submits that for the years 2019 and 2020 he is eligible and entitled to be selected

and appointed by promotion to the Indian Police Service. However, since he retired from service on superannuation on 30.4.2020 and because of the

delay in convening the meeting there is a likelihood that he will be excluded from the selection and promotion to IPS (Appointment by promotion) for

having retired. The applicant filed this OA seeking the following reliefs:

(i) Direct respondents 1 to 3 to consider the applicant for selection and appointment to Indian Police Service for the years 2020 notwithstanding the retirement of the applicant from service on 30.4.2020.

(ii) Issue such other appropriate direction or order this Tribunal may deem fit and order in the interest of justice.

3. When the matter came up for consideration today, learned counsel for the applicant submitted that the applicant would be satisfied if a direction is

issued to the effect that his retirement from service on superannuation will not be a bar for considering his promotion to IPS cadre for the vacancies of

2019 and 2020.

4. In view of the limited relief sought, without going into the merits of the case, we direct that the retirement of the applicant from State Service will

not be a bar for considering his promotion to the IPS cadre in the vacancies of 2019 and 2020, if he is eligible otherwise as per rules and regulations

existing.

5. The Original Application is disposed of as above at the admission stage itself. No order as to costs.