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R.L. MEENA AND ORS.  
v.  
UNION OF INDIA AND ORS.

SEPTEMBER 4, 2000

B

[M. JAGANNADHA RAO AND DORAISWAMY RAJU, JJ.]

C

*Service Law—Indian police service—Cadre—Delhi and Andaman Nicobar police services—officers of—Promotion to IPS in Arunachal, Goa, Mizoram and Union Territories cadre—Writ by such Officers—Seeking to be encadred in IPS from a retrospective date—Directions given by Supreme Court—Petitioners should file a detailed representation before the Central Government giving particulars of post which they consider fit to be encadred—Representation should also give reasons for encadrement from a retrospective date—Central Government should consider the representation in consultation with State Governments concerned and take appropriate decision preferably within six months.*

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*Tamil Nadu Administrative Services Officers Assocation v. Union of India, [2000] 3 SCALE 98, referred to.*

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CIVIL ORIGINAL JURISDICTION : Writ Petition (C) No. 135 of 2000.

(Under Article 32 of the Constitution of India.)

P.P. Rao, Vikrant Yadav, Sanjay Hegde and Praveen Swarup for the Petitioners.

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Mukul Rohtagi, Additional Solicitor General, B. Krishna Prasad and T.C. Sharma for the Respondents.

The following Order of the Court was delivered :

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The petitioners are officers of the Indian Police Service (IPS) in the Arunachal, Goa, Mizoram, Union Territories Cadre. They have all been promoted to the IPS from the Delhi and Andaman Nicobar Police Services which is one of the feeder services to the IPS. The petitioners filed these petitions under Article 32 of the Constitution of India seeking the following reliefs. "Issuance of writ, order or direction quashing the notifications dated 31.12.97 being

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arbitrary, unreasonable and violative of Article 14 and 16 of the Constitution of India and for further directions that petitioners and all other similarly situated All India Service Officers may be granted all the benefits with effect from 29th April, 1985 the date of granting relief to Shri K.K. Goswami and other officials of the Madhya Pradesh Forest Services. A

By the date this writ petition came up for hearing to this Court, this Court had disposed of Writ Petition No. 613 of 1994 and batch filed by the Tamil Nadu Administrative Services Officers Association against the Union of India and others. B

At the time of admission of this writ petition on 28.7.2000 learned senior counsel for the petitioners submitted that the petitioners are seeking a direction similar to the one issued in the *Tamil Nadu Officer's* case referred to above which has since been reported in 2000 (3) SCALE 98. C

After hearing learned Additional Solicitor General for the respondents, and the learned counsel for the petitioners, we are of the view that a similar direction is to be issued in this case also. We direct as follows: D

“It is open to the petitioners to file a detailed representation to the Central Government, giving all the particulars of the post which they consider are fit to be encadred and special reasons why they should be encadred with a retrospective date and on such representation being made, the Central Government will consider these representations in consultation with the State Government concerned, and take appropriate decisions in this regard preferably within six months from the receipt of those representations. The petitions and appeal are disposed of accordingly. No costs.” E

The writ petition is disposed of in terms of the above directions. F

T.N.A.

Petition disposed of.