

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

(10)

O.A. No. 17161/97
T.A. No.

198

DATE OF DECISION

5-12-97

Mrs. Geena Sharma **Applicant (s)**

Shri B.B. Raval **Advocate for the Applicant (s)**

Versus
Union of India **Respondent (s)**

Shri E. X. Joseph **Advocate for the Respondent (s)**

CORAM :

The Hon'ble Mr. Dr. Jose P. Verghese, VLS

The Hon'ble Mr. K. Muthukumar, M.A.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?

(Dr. Jose P. Verghese)
(VLS)

Central Administrative Tribunal
Principal Bench: New Delhi

OA No. 1716/97

New Delhi, this the 5th day of December, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Shri K. Muthukumar, Member (A)

Mrs. Geeta Sharma
Telephone Operator Gr.II
in the Naval Headquarters,
"C" Wing, Sena Bhawan,
New Delhi.Applicant

(By Advocate: Shri B.B. Raval)

-Versus-

Union of India through

1. Secretary,
Ministry of Defence,
Government of India,
South Block, New Delhi.
2. The Chief of Naval Staff,
Naval Headquarters,
South Block, New Delhi.
3. Lt. Cdr. P.D. Rana,
Assistant Logistics Officer,
Naval Headquarters, I.N.S. India,
Dalhousie Road, New Delhi.
4. Smt. Sunita Wadhwani,
Telephone Operator Grade II,
Naval Headquarters,
"C" Wing, Sena Bhawan,
New Delhi. Respondents

(By Advocate: Shri E.X. Joseph)

O R D E R

By Dr. Jose P. Verghese, Vice-Chairman (J)--

The case of the petitioner is that the petitioner being the seniormost telephone operator grade II is entitled to promotion to the post of Telephone Operator Grade I and instead the respondents have wrongly promoted

respondent no. 4 in her place. Accordingly the petitioner is seeking promotion to the grade of Telephone Operator Grade I, after setting aside the promotion of respondent 4 to the said post.

2. After notice, the respondents have filed a reply stating that in the seniority list the petitioner is indeed the seniormost and all the other candidates senior to her have been appointed on previous occasions. According to them one Smt. Meena Sharma was promoted on 4.8.1995 and one Smt. Sharabjit Kaur on 8.11.1995 and Smt. Alka on 28.5.1996 and one Smt. Sangita Thakur on 25.6.95, thus all 5 vacancies prior to the present DPC were filled up by 5 general candidates and according to the respondents no reserved candidates were available during this period. The present DPC that was held in 1997 found respondent 4 who is SC candidate available for the post and as a carry forward of roster point no. 1, the respondent 4 was appointed to the said post and the same is stated to be in accordance with the rules. We have perused the roster register and we find that the statement of the respondents is correct in accordance with the roster register.

3. In the circumstances it was stated by the counsel for the respondents that the petitioner would be entitled to the next available vacancy for a general community, being the seniormost could be made available in accordance with the roster.

4. In the circumstances no further order could be passed in this OA except that when the next general vacancy become available, and the same shall be offered to the petitioner who is admittedly the seniormost among all the candidates belonging to the General community. With this direction the OA is disposed of and no order as to costs.



(K. Muthukumar)
Member (A)



(Dr. Jose P. Verghese)
Vice-Chairman (J)

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