

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA-2094/94

New Delhi this the 3rd day of August, 1999.

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Hon'ble Smt. Lakshmi Swaminathan, Member(J)  
Hon'ble Smt. Lakshmi Swaminathan, Member(A)  
Hon'ble Sh. S.P. Biswas, Member(A)

Sh. Namburi Jawahar Babu,  
S/o Sh. Namburi Durvasa Rao,  
R/o Room No.C-3, Indira Gandhi  
National Forest Academy,  
New Forest Post,  
Dehradun(UP). . . . . Applicant

(through Sh. D.S. Sinha -Not present even on second call)  
versus

1. Union of India through  
Secretary, Ministry of  
Environments & Forests,  
Parivaran Bhavan,  
CGO Complex, Lodi Estate,  
New Delhi.

2. Director, Indira Gandhi National  
Forest Academy, New Forest Post,  
Dehradun(UP). . . . . Respondents

(through Sh. V.S.R. Krishna, advocate)

ORDER(ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

The applicant in this application is aggrieved by the respondents action in not allocating his home cadre Andhra Pradesh and instead allocating Bihar cadre. He has also stated that he belongs to Scheduled Caste community.

2. None has appeared for the applicant even on the second call. We have carefully perused the pleadings and heard the submissions of Shri V.S.R. Krishna, learned counsel for the respondents.

3. The respondents have submitted that the applicant has been allocated to the Bihar cadre in the

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Indian Foreign service in accordance with the provisions laid down for cadre allocation. Shri Krishna, learned counsel for respondents has submitted that the criteria for allocation has since been upheld by the Hon'ble Supreme Court in Union of India & Ors. vs. Sh. Rajiv Yadav, IAS & Ors. (JT 1994(5) SC 54). He has, therefore, submitted that as the respondents have complied with the provisions of the rules as well as the relevant guidelines in the matter of cadre allocation, the Original Application may be dismissed.

4. After careful consideration of the pleadings and the submissions of the learned counsel for the respondents, and also keeping in view the decision of the Hon'ble Supreme Court in Rajiv Yadav's case (supra), we are unable to fault the action of the respondents in allocating the applicant to Bihar cadre. The claim of the applicant that he is entitled to Andhra Pradesh cadre (home cadre) on the basis of reservation has also no merit. The Original Application is accordingly dismissed. No order as to costs.

  
(S.P. Biswas)

Member(A)

  
(Smt. Lakshmi Swaminathan)  
Member(J)

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