

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: DELHI

REGN.NO. CA 750/89

Miss.Rugmini Menon & others Applicants

Vs.

Ministry of Finance & others Respondents

Coram: Hon'ble Mr.Kaushal Kumar, Member(A)
Hon'ble Mr.T.S.Oberoi, Member(J)

Applicants through Shri K.K.Rai, Counsel.

11.4.1989

In this case the applicants, who are members of Grade-IV of the Indian Economic Service, have challenged the reservation for Scheduled Castes & Scheduled Tribes in the matter of promotion to higher grades. Admittedly, the applicants have not made any representations to the Department in this regard and have not exhausted the remedies available to them under the Service Rules. Sub-section(1) of Section 20 of the Administrative Tribunals Act, 1985 lays down that a Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of all the remedies available to him under the relevant service rules as to redressal of grievances. Learned counsel for the applicants states that certain other members of the Indian Economic Service, who are not before us in this application, had made representations to the Department on the point agitated in this application but no reply was given and that on a similar application filed by those applicants another Bench of the Tribunal has directed issuance of notice to the Respondents. Since in the present case, the applicants have admittedly not made any representations whatsoever to the Department, this case is clearly distinguished from the other Original Application referred to by the learned counsel. Although we are not aware of the facts of that case, we do not find any

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justification for admitting this application or issuing a show cause notice to the Respondents at this stage when the applicants have not made any representations to the Department. With these observations, this application is rejected. However, the applicants will be at liberty to file a fresh application after exhausting all the remedies available to them as per the provisions of Section 20 of the Administrative Tribunals Act, 1985.

Been
(T.S.OBEROI)
MEMBER(J)
11.4.1989

KAUSHAL KUMAR
(KAUSHAL KUMAR)
MEMBER(A)
11.4.1989