

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

C.A.No.1296/90

New Delhi, this the 8th day of August, 1994.

HON'BLE MR. JUSTICE D.L. MEHTA VICE CHAIRMAN (J)

HON'BLE MR. B.K. SINGH MEMBER (A)

1. Shri G.S. Malia s/o  
Shri R.S. Malia,  
R/O 9-E, Central Place,  
Bengali Market, New Delhi.
2. Shri SK Shandil s/o  
Shri Suraj Kishan,  
r/o 109/2, Ahirwada, Balbhgarh,  
Haryana.  
(By Shri S.K. Sawhney, Advocate)

..Applicants

Vs.

Union of India, through:

General Manager,  
Northern Railway,  
Baroda House, New Delhi.

..Respondents.

(By Shri OP Kshatriya, Advocate)

ORDER (ORAL)

HON'BLE SHRI JUSTICE D.L. MEHTA VICE CHAIRMAN (J)

have  
Applicants filed this C.A. and prayed therein  
that direction be issued to the respondents not to  
allow further posts to SC/ST employees in the cadre  
of Assistant Personnel Officer Group 'B' as SC/ST  
employees are already holding the posts in that cadre  
to the tune of 59%. No direction is necessary in the  
light of Indira Sawhney's case. As regards the second  
prayer, the applicants have prayed that the respondents  
be directed to recast the seniority of general category  
candidates vis-a-vis SC/ST employees who got accelerated  
promotion by jumping the queue in preference to their  
general category employees on the principles of law  
laid down in Veerpal Chauhan Vs. UOI. After the case  
of Karam Chand & Ors. and also the decision of this  
Bench it is well settled now that one who got the  
higher grade earlier is entitled to claim the seniority.  
No relief can be granted to the applicants as prayed  
for. The C.A. is accordingly dismissed. No costs.

(B.K. SINGH)  
Member (A)

(D.L. MEHTA)  
Vice Chairman (J)