

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, Balbgarh,
Haryana.Applicants
(By Shri S.K. Sawhney, Advocate)

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)