

(16)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 2205 of 1990

New Delhi this the 10th day of July, 1995.

C O R A M :

HON'BLE SHRI JUSTICE S. C. MATHUR, CHAIRMAN
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Prakash Lal,
Lower Division Clerk,
Government of India Press,
Faridabad - 121001 (Haryana). ... Applicant

Versus

1. Union of India through
Secretary, Ministry of Urban
Development, Nirman Bhawan,
New Delhi.
2. Director, Directorate of Printing,
Ministry of Urban Development,
New Delhi - 110001.
3. Manager, Govt. of India Press,
Faridabad-121001 (Har.)
4. Shri Shyam Lal, U.D.C.,
Govt. of India Press,
Faridabad-121001 (Haryana). ... Respondents

None for the Applicant.

Shri M. L. Verma, Counsel for Respondents 1-3.
None for Respondent No.4.

O R D E R (ORAL)

Shri Justice S. C. Mathur -

The dispute in this O.A. relates to promotion to the post of Upper Division Clerk (UDC) from the post of Lower Division Clerk (LDC). Admittedly, the applicant was senior to the 4th respondent, Shri Shyam Lal, in the grade of LDC. However, instead of promoting the applicant to the post of UDC, Shyam Lal was promoted thereto. This is the

cause of action with which the applicant has approached the Tribunal. The official respondents have justified their action by stating that the promotion has been given according to the 40-point roster. According to the respondents there was vacancy on point No.22 which was reserved for Scheduled Caste. Since the 4th respondent belongs to SC, he was promoted. The roster position has been explained by the respondents in the annexure to the reply. The names of the persons appointed, their category and the year are clearly indicated therein.

2. The learned counsel for the applicant has disputed the correctness of the roster vacancy reflected in the chart submitted along with the counter reply. According to the applicant, certain SC vacancies were de-reserved. In the counter reply this assertion has been denied and it has been stated that although proposal was sent for de-reservation, but actually no order de-reserving the point was passed. There is no material on record to indicate that the vacancy at sl. No.22 in the roster was not meant for SC. Accordingly, the applicant has failed to establish that any illegality has been committed by the official respondents by promoting respondent No.4.

3. During the course of arguments, none appeared for the applicant but on behalf of official respondents 1 to 3, Shri M. L. Verma appeared and we have heard him.

3. In view of the above, the application is dismissed but without any order as to costs. Interim order, if any operating, shall stand vacated.



(K. Muthukumar)
Member (A)



(S. C. Mathur)
Chairman

/as/