

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

(14)

O.A. No. 496/1992

New Delhi this the 6th Day of December 1992

Hon'ble Shri A.V.Haridasan, Vice Chairman (J)
Hon'ble Shri R.K. Ahooja, Member (A)

Mohan Lal Meena,
son of Shri Het Ram Meena
working as Assistant Superintendent in
the General Branch,
Northern Railway Hqrs. Office,
Baroda House,
New Delhi.
Resident of C-8/B, Railway Colony,
Lajpat Nagar,
Delhi.

Applicant

(By Advocate: Shri P.M.Ahlawat.)

VS

1. The Union of India
through the General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Chief Personnel Officer,
Northern Railway,
Baroda House,
New Delhi.

Respondents

(By Advocate: Shri B.K. Agarwal)

O R D E R

Hon'ble Shri A.V. Haridasan, Vice Chairman (J)

The main issue involved in this case is whether the forty point roaster prescribed for giving effect to reservation in the matter of promotion to the members of the scheduled caste and scheduled tribe becomes inoperative from the date 15% members of the scheduled caste and 7½% members of the scheduled tribes occupies the promotional post in the particular grade. The Allahabad High Court had in Writ Petition No. 1809/72 on 9.12.1977 held that the roster ceases to be operative when such a situation is reached. This judgement was challenged before the Hon'ble Supreme Court in Civil Appeal No. 2017/78 (Union of India & Ors Vs. J.C. Malik and Ors). When the O.A came up for hearing on 19.7.1993 the Bench adjourned the case sine die directing that it may be

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(V)

after disposal of the Civil Appeal 2017/78. Now that the Hon'ble Supreme Court has disposed of the J.C.Malik's case, this OA is disposed of with a direction to the respondent to take further action in the matter in accordance with the ruling given by the Hon'ble Supreme Court in the said case. No order as to costs.

Reckha
(R.K. Ahoja)
Member (A)

Alivel
(A.V. Haridasan)
Vice Chairman (J)

Mittal