

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

A2
7

Original Application No. 194 of 1996

Allahabad this the 31st day of March 1997

Hon'ble Dr. R.K. Saxena, Member Judicial
Hon'ble Mr. D.S. Baweja, Member Admn.

Gauri Shanker aged about 20 years S/o Sri Azoudi,
R/o Village Padri, P.O. Bhojla, Distt. Jhansi.

Applicant.

By Advocate Sri Rakesh Verma

Versus

1. Union of India through General Manager, Central Railway, Bombay V.T.
2. The Divisional Railway Manager, Central Railway, Jhansi.

Respondents.

Advocate Sri G.P. Agrawal

O R D E R (Oral)

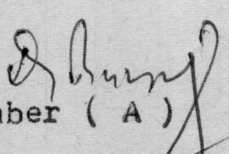
By Hon'ble Dr. R.K. Saxena, J.M.

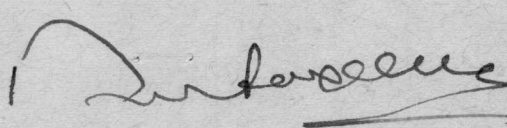
The applicant-Gauri Shanker has approached the Tribunal for seeking quashment of the order dated 06/9/95 whereby the respondent no.2 had rejected the request of the applicant about his appointment on a suitable post, under loyal quota. Further prayer made is that directions be issued to the respondents to appoint the applicant on some post.

2. The facts as are disclosed in the O.A. are that the father of the applicant Sri Azoudi was working as Khalasi in the year 1974 under the respondents. The railway employees union had given a call of general

strike but the father of the applicant defied the call and worked during the period of strike. It is contended that the respondents had assured all the employees who had worked during the period of strike that their date of retirement would be extended from six months to one year, as the case may be; they would be allowed advanced increments, and their wards should be preferred in the employment under the respondents. It is further contended that in the year 1974, the applicant was minor and he attained the majority only in the year 1974. Thereafter, he represented the respondents for employment but the same was rejected. Hence this O.A.

3. Such cases were disposed of in the past by this Bench, holding that the prayer of appointment on the basis of loyal quota is unconstitutional because the applicant does not acquire any right by way of the so called loyal quota. It was further observed that it was an attempt to seek entry through backdoor excluding several thousand of eligible persons. We still hold the same view and thus, this O.A. remains no more maintainable. The O.A. is dismissed accordingly. No order as to cost.


Member (A)


Member (J)

/M.M./