

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 23rd DAY OF OCTOBER 1997

Original Application No. 1087 of 1997

HON.MR.JUSTICE B.C.SAKSENA,V.C.

HON.MR.S.DAS GUPTA, MEMBER(A)

Gajadhar Prasad(Gond)
S/o Late Sri Bhudi Lal
R/o Village Manodharpur, P.O. Trivediganj
District Barabanki, presently working as
UDC Ordnance Equipment Factory, Kanpur.

.. .. Applicant

(By Advocate Shri B.S. Pandey)

Versus

1. Union of India, Ministry of Defence through its Secretaryy, New Delhi.
2. General Manager, Ordnance Equipement Factory, Kanpur.
3. Administrative Officer, Ordnance Equipement Factory, Kanpur-1
4. Gopi Chand Kuril
U.D.C/L.B. Section, Ordnance Equipment Factory, Kanpur.

O R D E R(Oral)

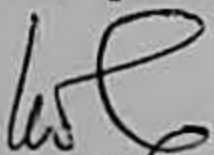
JUSTICE B.C.SAKSENA,V.C.

We have heard the learned counsel for the applicant ~~in the~~ when the OA came up for admission. The applicant is aggrieved by order dated 23.9.97 ^{as also} ~~and~~ another order of the same date. The two orders have been annexed as Annexure 3 and 3_A. The applicant was granted promotion to the post of UDC against a reserve quota for S.C candidates. Subsequently, on a complaint being made that the applicant does not belong to the SC community. Verification of the certificate furnished by the applicant ^{was} made through the D.M. Kanpur. The D.M. kanpur indicated in his report that the applicant actually belongs to the caste of 'Kahar' which is included in the OBC list. The D.M. Kanpur further indicated that the applicants ancestral address is located in the district of Barabanki. The matter was referred to D.M, Barabanki for verification and the D.M.

1/6/97

Barabanki after verification indicated that the applicant neither lived in the village Manodharpur, district Barabanki nor he is living there.

2. Thereafter a show cause notice was issued to the applicant to explain why his promotion against the post reserved for S.C. candidate may not be cancelled, as his claim to be a member as the SC candidate is found to be false. After considering the reply submitted by the applicant an order of cancellation of his promotion has been passed. All these detailed facts have been enumerated in the speaking order contained in Annexure 3-A to the OA. The learned counsel for the applicant was unable to indicate any ground to challenge the said order. We, accordingly find no merit in the OA, it is dismissed summarily except with regard to the claim of the applicant for salary of UDC stated to be due since 12.8.95. This is a subject matter of another OA No. 592/97 which is still pending.


MEMBER(A)


VICE CHAIRMAN

Dated: 23rd October, 1997

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