

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

**O.A.NO. 15/1988**  
**T.A.NO.**

**DATE OF DECISION 24.10.1996.**

Aspi Mithaiwala & Ors. Petitioner

Mr.K.S.Jhaveri Advocate for the Petitioner [s]  
Versus

Union of India & Ors. Respondent

Mr.N.S.Shevde & Mr.Girish Patel Advocate for the Respondent [s]

**CORAM**

**The Hon'ble Mr. A.V. Haridasan : Vice Chairman**

**The Hon'ble Mr. K. Ramamoorthy : Member (A)**

**JUDGMENT**

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lerdships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

1. Aspi Mithaiwala  
A-2, Amdichhanagar so,  
Neard Piolate dairy,  
Kankaria, Ahmedabad.
2. Attarchand Verma  
Block 8, Harshad kunj society,  
Opp: Laxminarayan bus stand,  
Maninagar east,  
Ahmedabad. 8.
3. Prabhakar Pitker  
43, Sakar society,  
Near Cadila Bridge,  
Ghodasar  
Ahmedabad 50.
4. Kunwarnand singh  
3, Kahan society  
Bhalaj Road,  
Anand 388 001.
5. Thurithu ~~malil~~ Chacko  
Room No: 577/B  
Railway Colony Khokhara,  
Mehmdavad,  
Ahmedabad 2.
6. Navalkishore Soni  
Satya narayan chawl,  
Chimanpura,  
Ahmedabad 16.
7. Harikrishna Vaidya  
11.A Upasana society  
Near Raj Baga Cannal Road,  
Ghodasar, Maninagar  
Ahmedabad.
8. Harshvadar Dave  
Opp : Foodball ground  
Kankaria,  
Ahmedabad.
9. Vaikunthrai Bhatt  
193, Parmanand,  
Near Railway Crossing,  
Maninagar,  
Ahmedabad-8.
10. Harihar Mehta  
Darjiling Flats,  
First floor, Madan gopal  
haveli Riad, Dadkas pole,  
Manek chowk, Ahmedabad-1.

11. Sitaram Sharma  
 597/B Railway colony,  
 No:1, Saraspur,  
 Ahmedabad -18.

... Applicants.

(Advocate : Mr.K.S.Jhaveri )

VERSUS

1. Union of India , through  
 General Manager,  
 Western Railway,  
 Churchgate,  
 BOMBAY 400020.
2. The Divisional Railway Manager,  
 Pratapnagar,  
 VADODARA 390 005.
3. Shri S.P. Vasava  
 Guard Spl.  
 stn superintendent,  
 Western Railway,  
 Ahmedabad.
4. Shri Bannaram T.  
 Guard Spl. Office of the  
 Supdt, Western Railway,  
 Ahmedabad.
5. Shri J.G.Baria  
 SPL.Guard  
 Station Supdt. Office,  
 Western Railway,  
 Ahmedabad 2.
6. Shri A.H. Ahure  
 Guard Spi  
 Office of the Stn.Supdt,  
 Western Railway,  
 Ahmedabad-2.
7. Shri R.G.Patel  
 Guard Spi  
 Office of the Stn.Supdt,  
 Western Rly,Ahmedabad.
8. Shri Murarilal Meena  
 Guard, Office of the  
 station supdt,  
 Baroda.
9. Shri S.R.Makwana  
 Office of the Station  
 suptd, Western Railway,  
 Ahmedabad .

10. Shri L.N.Vaghela  
Guard,  
Office of the stn.supdt,  
Western Railway,  
Ahmedabad.2.

11. Shri K.K.Vaghela  
Guard,  
Office of the Stn.Supdt,  
Western Railway,  
Ahmedabad.

12. Shrik G.D. Kamble  
Guard,  
Office of the stan.supdt,  
Western Railway,  
Ahmedabad.

13. Shri A.D.Chaudhari  
Guard  
Office of the stn.supdt,  
Western Railway,  
Ahmedabad.

14. Shri R.D. Singh  
Guard,  
Office of the stn.supdt,  
Western Railway  
Ahmedabad.

.... Respondents

15.

(Advocate : Mr.N.S.Shevde &  
Mr.Girish Patel )

O R A L      O R D E R

In

O.A.No:15/1988

Date : 24.10.1996.

Per : Hon'ble Shri A.V.Haridasan : Vice Chairman

Mr.K.S.Jhaveri, the counsel for the applicant  
is not present. Mr.N.S.Shevde is not present even on  
the second call. Sick note filed by Mr.Girish Patel.

This is a very old case. We have gone through  
the pleadings. The issue involved in this case is  
the percentage of reservation of Scheduled Casts/Scheduled  
Tribe being excess of quota. This issue has already  
been decided by the Hon'ble Supreme Court of India  
in the following cases.

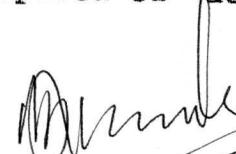
(L)

(a)

- 1) 1996(2) SCAL- Page 526.  
Ajitsingh Junaja & Ors. VS.  
State of Punjab & Ors.
- 2) 1995/6 Supreme Court Cases. P.684.  
Union of India & Ors. VS.  
Virpalsingh Chauhan & Ors.
- 3) 1995 (2) Supreme Court Cases P.745.  
R.K.Sabharwal & Ors. VS.  
State of Punjab & Ors.
- 4) S.L.R. 1978 (1) Page 844.  
J.C.Malik & Ors Vs. Union of India & Ors.

Therefore application can be disposed of directing the respondents to take further action in the matter in accordance with the decision of the Hon'ble Supreme Court in the above case. O.A. stands disposed of accordingly. No order as to costs.

  
( K.Ramamoorthy )  
Member (A)

  
( A.V. Haridasan )  
Vice Chairman

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