

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 708/93
T.A. No.

DATE OF DECISION 20-12-1993.

Shri Joseph Arango

Petitioner

Shri M.S. Trivedi

Advocate for the Petitioner(s)

Versus

Union of India and Others

Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.B. Patel

Vice Chairman.

The Hon'ble Mr. K. Ramamoorthy

Member (A)

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

} No

Shri Joseph Arango
Ret. P.H.O. (Pump House Operator)
Jamnagar.

Applicant

Advocate Shri M.S. Trivedi

Versus

1. Union of India
Notice to be served through
The Secretary, Government of India
Ministry of Defence, New Delhi
2. Garrison Engineer (Air Force)
Jamnagar, Air Force Camp,
Jamnagar.
3. Chief Engineer (Air Force)
Brig. Kulwant Singh
Ahmedabad Zone,
Camp Hanuman Road,
Ahmedabad.

Respondents.

Advocate

ORAL JUDGEMENT

In

O.A. 708 of 1993

Date: 20-12-1993.

Per Hon'ble Shri N.B. Patel

Vice Chairman.

Heard Mr. Trivedi. It is stated that the applicant had cleared selection test in 1987 but he was given promotion only in 1991. The grievance is that the applicant should have been given deemed promotion from 1987. It is not ^{the} a case of the applicant that any of his junior^s, who was on the select list of 1987 was actually promoted with effect from the date earlier than the date on which

he was given promotion in 1991. On behalf of the applicant, the contention of Mr. Trivedi was that since in 1987, ^{the} list was prepared ^{after} ~~for~~ ascertaining the actual number of vacancies and the likely number of vacancies, the applicant had a right to be given promotion from 1987 itself. We find absolutely no merit in this contention. The employer cannot be compelled to fill up ~~the~~ vacancies. The application has, therefore, no merit and is summarily rejected.



(K. Ramamoorthy)
Member (A)



(N.B. Patel)
Vice Chairman.

*AS.