

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

**O.A. No.** 735/93  
**T.A. No.**

**DATE OF DECISION** 6-1-1994

Shri J.G. Patel

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 J.G. Patel  
Retd. CGG, W. Rly.  
KIE, Ahmedabad.

Applicant

Advocate Shri M.S. Trivedi

## Versus

1. Union of India  
The General Manager  
W. Rly. Churchgate,  
Bombay.
2. The Divisional Rly. Manager  
DRM, Office, Pratapnagar  
Vadodara
3. Divisional Commercial Manager,  
DRM Office,  
Pratapnagar, Vadodara.

### Respondents

## Advocate

## ORAL ORDER

In

O.A. 735/1993

Date : 6-1-1994.

Per Hon'ble Shri N.B. Patel

Vice Chairman.

The applicant has retired with effect from 31st May 1992 as Chief Goods Clerk. He has approached ~~the~~ Tribunal with a prayer that he should be given promotion with effect from 1-11-1991 since one promotion post was lying vacant from 31-10-1991 as one Mr. Parmar had retired. The applicant has stated that his non-promotion to the promotion post with effect from 1-11-1991 was the direct

result of lethargy on the part of the administration in not taking up the process of selecting a person <sup>well in time</sup> for promotion out of eligible persons. The applicant cannot claim a right to be promoted to the post only because the post is vacant. Therefore, there is no legal basis on which the applicant has founded his claim. O.A. is summarily rejected.

12  
(K. Ramamoorthy)  
Member (A)

27  
(N.B. Patel)  
Vice Chairman.

\*AS.