

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 300 of 1995

Thursday, this the 20th day of July, 1995

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR SP BISWAS, ADMINISTRATIVE MEMBER

1. K Ravindran,
S/o Late OK Raghavan,
Stenographer,
Central Institute of Fisheries Technology,
Matsyapuri PO, Cochin-682 029, residing at
'Revathy', 30/1835, Rice Research/Deepam Road,
Cheerakuzhi, Vytila PO,
Cochin-19. .. Applicant

By Advocate Mr. PV Mohanan

Vs.

1. The Director,
Central Institute of Fisheries Technology,
Matsyapuri PO, Cochin-682 029.
2. The Director General,
Indian Council of Agricultural Research,
Krishi Bhavan, Dr.Rajendra Prasad Road,
New Delhi-110 001.
3. R Vasantha,
Stenographer,
CIFT, (Post) Matsyapuri. .. Respondents

By Advocate Mr. P Jacob Varghese (R1-2)

The application having been heard on 20th July, 1995,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

The prayer, confused as it looks, is really for a declaration that the post of Senior Stenographer is a single post and that it cannot be reserved.

2. Applicant is a Stenographer under respondents and he seeks promotion to the next higher post of Senior Stenographer. Though the prayer is vague as we noticed, the grounds give

the clear impression that applicant is challenging reservation to a single post and consequent denial for consideration for promotion to him. Ground (A) states that:

"..Such reservation would amount to 100% reservation and discrimination..".

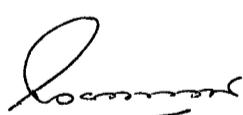
In para 7 of the reply statement it is stated that:

"...strength of the cadre of Senior Stenographer is one".

3. If it is one post, it cannot be reserved, making reservation 100% and denying the guarantee of equality in Article 16(i). The decision in Dr. Chakradhar Paswan Vs. State of Bihar & Ors (AIR 1988 SC 959) and decision in Smt. Chetana Dilip Motghare Vs. Bhide Girls Education Society, Nagpur & Ors (AIR 1994 SC 1917) support the view, we take. We declare that the post of Senior Stenographer cannot be reserved and we direct respondents 1&2 to make a promotion to that post in accordance with the rules governing promotion.

4. The Original Application is allowed with costs which we fix at Rs.350/- (Rupees Three Hundred and Fifty).

Dated the 20th July, 1995



SP BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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