

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

~~NEW DELHI~~

O.A. No. 654

1987

~~XXXXXX~~DATE OF DECISION 25.11.1987Shri S.A. Ilahi Bax Inamdar, PetitionerShri H.S. Shreepad Murthy, Advocate for the Petitioner(s)

Versus

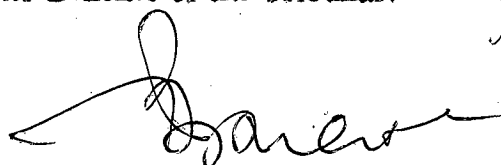
Union of India & ors. Respondent- Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. B.C. Gadgil, Vice-Chairman(J),

The Hon'ble Mr. B.C. Mathur, Vice-Chairman(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? } av
4. Whether it needs to be circulated to other Benches of the Tribunal?



Central Administrative Tribunal
New Bombay Bench
New Bombay.

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Regn. No. OA-654 of 87 Date of decision: 25.11.87

Shaikh Ansar Illahi Bax Inamdar Applicant

Vs.

1. Asstt. General Manager (R&T),
M.T.N.L., Telephone Bhavan,
Colaba, Bombay-5.

2. Sub-Divisional Officer,
Telegraphs, Shrirampur,
Pin-413709.

3. The General Manager,
Telecommunications,
G.P.O. Building,
Bombay-1.

Respondents

4. Union of India

Shri Vishwas Rao for Shri
H.S. Shreepad Murthy Advocate for the applicant.

CORAM

Hon'ble Justice Shri B.C. Gadgil, Vice-Chairman.

Hon'ble Shri B.C. Mathur, Vice-Chairman.

This is a case under Section 19 of the Administrative Tribunals Act, 1985, against the impugned order No. Q-706/1/116 dated 29.1.87 passed by Respondent No.1 against the rejection of the claim of the applicant to appointment as Junior Engineer in Bombay Telephones.

2. The applicant has been working as a Time Scale Clerk (Office Assistant) in the Department of Telecommunications at Shrirampur since 1977. He was selected as a Junior Engineer in Bombay Telephones in

1979 on the basis of his application where he had declared himself as a Scheduled Caste candidate belonging to Muslim Khatik community. Subsequently, it was found that the applicant could not be considered as a Scheduled Caste person as the Khatik community among the Muslims is not covered under the Scheduled Caste category.

Page 3. When he was ^{nr} appointed as a Junior Engineer on the basis of his being a Scheduled Caste person, he gave up his claim to Scheduled Caste community and requested the Department to be appointed as a Junior Engineer under the general category. This claim of the applicant was also rejected as on the relevant date in 1979, he was overage for general candidates. The claim of the applicant is that he was actually selected and appointed as a Junior Engineer but is not being relieved to join as a Junior Engineer after selection.

4. Having considered the facts of the case, we are of the opinion that it is not a fit case to be admitted for the simple reason that the applicant himself has given up his claim of belonging to a Scheduled Caste community and as a general cadre candidate he would be overage and cannot get the age relaxation which is admissible to Scheduled Caste persons. In view of these circumstances, we are of the opinion that the claim of the applicant for appointment as a Junior Engineer in Bombay Telephones cannot be accepted. The application is, therefore, summarily rejected. Parties to bear their own costs.

B.C. Mathur
(B.C. Mathur)
Vice-Chairman

B.C. Gadgil
(B.C. Gadgil)
Vice-Chairman