

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

~~NEW DELHI~~  
NEW BOMBAY BENCH

O.A. No. 397/89  
~~XXXXXX~~

198

DATE OF DECISION 5.7.1989

Shri Chhabbaram

Petitioner

Shri G.S.Walia

Advocate for the Petitioner(s)

Versus

Union of India and others.

Respondents

Shri Subodh Joshi

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.B.Mujumdar, Member (J)

The Hon'ble Mr. M.Y.Priolkar, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY 400 614

(3)

OA.NO. 397/89

Shri Chhabbaram  
C/o. G.S.Walia,  
Advocate, High Court,  
89/10, Western Railway  
Employees' Colony,  
Matunga, Bombay 400 019.

... Applicant

V/s.

1. Union of India through  
Central Railway's General Manager,  
Bombay V.T., Bombay 400 001.

2. Chief Workshop Manager,  
Central Railway, Parel Workshop,  
Bombay 400 012.

... Respondents

CORAM: Hon'ble Member (J) Shri M.B.Mujumdar  
Hon'ble Member (A) Shri M.Y.Priolkar

Appearances :

Mr.G.S.Walia  
Advocate  
for the Applicant

Mr.Subodh Joshi  
Advocate  
for the Respondents

ORAL JUDGMENT

Dated: 5.7.1989


(PER: M.B.Mujumdar, Member (J))


Heard Mr.G.S.Walia, learned advocate for the applicant  
and Mr.Subodh Joshi, learned advocate for the respondents.

2. Mr.Subodh Joshi, Advocate for the respondents showed  
us the relevant record regarding the test held on 1.9.1986  
and 9.12.1986 which shows that the applicant had obtained  
only 52 marks and not 60% marks. That is why he was promoted  
against the reserved vacancy for scheduled caste candidates.  
But as one SC candidate was already working as Assistant  
Shop Superintendent, the applicant's reversion had become  
necessary. In view of these facts, Mr. Walia requested

4

for permission to withdraw the application with liberty to file a fresh application in case of necessity. We grant the request and dispose of the application as withdrawn with liberty to file a fresh application in respect of the same subject matter, with no order as to costs.

  
(M.Y. Priolkar)  
Member (A)

  
(M.B. Mujumdar)  
Member (J)