

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

Original Application No.818/89

(7)

Motiraj Muthu Bobponappa ... Applicant

vs

1. Union of India
Represented by
the Directorate Gen.of EME
EME Civil.
2. The Commandant,
512 Army Base Workshop,
Kirkee, Pune-411-003
3. OIC/Chief Record Officer,
Vaidyut Aur Yantrik Engineer,
Abhilekh Karyalaya
SME Records,
Secunderabad-500-021.
4. ADM Coomandat,
506 Thal Sena Base Workshop
506 Army Base Workshop,
PO No.41
Jabalpur-482-001. ... Respondents.

Coram: Hon'ble Mr.Justice U.C.Srivastava,
Vice-Chairman

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

Dated: 18-3-91

Advocates:

Mr. S.J.Raikar,
for the applicant.

Mr.Bhatkar for the
respondents.

Judgement

(Per: Hon'ble Mr. Justice U.C.Srivastava, Vice-Chairman)

The applicant who is a member of Scheduled Caste community and technically qualified N.C.T.V.T.(Fitter) was appointed in Pune Workshop as Fitter (Skilled) in temporary capacity w.e.f. 17-3-1988 on probation in the time scale of pay of Rs. 950-20-1150-EE-25-1500. He applied on 12-8-1988 to the higher post of Chargeman. Trade Test/Interview was then held for the aforesaid post in which the applicant participated along with candidates sponsored by the Central Employment Exchange. Having successfully passed trade test/interview, the applicant was appointed on 22-12-1988 in Pune Workshop as Chargeman in the

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pay scale of Rs. 1400-2300 on probation of two years. It appears that later on the applicant as per the directions contained in the letter dated 16th March 1989 was found to be surplus and reverted to the Industrial Establishment w.e.f. 22nd December 1988 on the lower post of Fitter (Skilled). The applicant represented against the order by his representation dated 20th March, 1989 addressed to Directorate Gen. of EME, EME Civil-1 Army Head Quarters New Delhi. The representation proved to be of no avail. In the mean time there was a post of Chargeman vacant at Jabalpur. The applicant was willing to be posted there. Although the applicant had passed Trade Test/Interview for the post of Chargeman and was qualified for the post, he was asked to appear again for trade test/interview at Jabalpur Workshop on 24-10-1989. At that stage we had restrained the respondents from appointing any one to the post of Chargeman at Jabalpur until our further orders.

2. In view of the fact that after qualifying for the post of Chargemen (Fitter), the applicant was not posted against the vacancy at Jabalpur, this application deserves to be allowed. The reversion order is quashed. Respondents are directed to appoint him to the said post at Jabalpur or to any other identical post anywhere else. The applicant has stated in the Court that he has no objection to go anywhere. There is no order as to costs.

M.Y. Priolkar
18.3.91
(M.Y. Priolkar)
Member(A)

U.C. Srivastava
(U.C. Srivastava)
Vice-Chairman