

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR.

O.A.NO. 194/94
TR.A.NO.

199

DATE OF DECISION 18.4.1994

Shri B.N.Dhadve

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

1. Whether it be referred to the Reporter or not ? *M*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *M*

M.R.Kolhatkar

(M.R.KOLHATKAR)

MEMBER (A)

M.S.Deshpande

(M.S.DESHPANDE)

VICE CHAIRMAN

mbm:

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

CAMP : NAGPUR

OA.NO. 194/94

Shri Bhimrao Namdeo Dhadve ... Applicant

V/S.

Union of India & Ors. ... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri M.R.Kolhatkar

Appearance

Shri P.A.Deshmukh
Advocate
for the Applicant

Shri M.G.Bhangade
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 18.4.1994

(PER: M.S.Deshpande, Vice Chairman)

We have heard the learned counsel. Shri Deshmukh states that the applicant belongs to Scheduled Caste and was therefore entitled to preference. It is apparent from the respondents' reply that the quota for SC/ST had been over subscribed and there was no question of further reservation at the time of this selection. With regard to preference, it is contended that on the basis of merit the candidate who stood at Sr.No.6 came to selected while the applicant was at Sr.No.7. In either case the applicant would not be entitled to steal a march over the candidate selected. Shri Deshmukh for the applicant stated that he was misled by the advertisement by which these applications were invited. This condition, according to respondents, had been deleted before the reservation was prescribed. There cannot be any estoppel against the ^{referred} applicant for keeping this condition in the form. We see no merit in the application, it is dismissed.

M.R.Kolhatkar
(M.R.KOLHATKAR)

MEMBER (A)

M.S.Deshpande
(M.S.DESHPANDE)

VICE CHAIRMAN