

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI**

ORIGINAL APPLICATION NO: 555/95

DATE OF DECISION: 26.10.1999

Shri R.D. Gede Applicant.

Advocate for

Applicant.

Versus

Union of India and others. Respondents.

Shri V.S.Masurkar Advocate for
Respondent(s)

CORAM

Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman

Hon'ble Shri D.S.Bawaja, Member (A)

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?
- (3) Library.

(R.G. Vaidyanatha)
Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO:555.95

TUESDAY the 26th day of OCTOBER 1999.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri D.S.Baweja, Member (A)

R.D. Gede
Residing at
6, Navshivshakti Building
Vijaya Nagar,
Tisgaon, Kalyan East.Applicant

V/s

1. Union of India through
The General Manager
Central Railway,
Bombay VT.
2. The Central Workshop Manager
Central Railway Loco Workshop
Parel, Bombay-12.Respondents

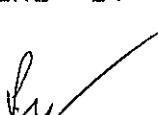
By Advocate Shri V.S.Masurkar.

ORDER (ORAL)

(Per Shri Justice R.G.Vaidyanatha, Vice Chairman)

This is an application by which the applicant is seeking a direction that he is entitled to be brought under zone of consideration for the selection proposed under notification dated 21.4.1995. Today when the case is called out for final hearing, none appeared on behalf of the applicant. We have heard Shri V.S.Masurkar counsel for the respondents.

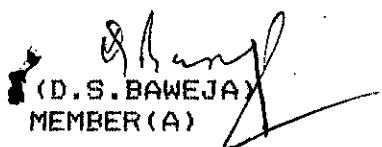
2. Other dispute raised by the applicant is that the applicant who is senior to general candidate is not called for selection purpose and he is not included in the zone of consideration and therefore he approached this Tribunal.



It is admitted that the applicant belongs to Schedule Tribe. The respondents case is that the applicant got promotion to the present post of Chargeman Grade III on reservation policy and he being Schedule Tribe candidate got accelerated promotion ignoring many seniors. It is further stated that the applicant cannot get accelerated seniority and therefore he does not come in the zone of consideration.

3. It is well settled that Scheduled Caste and Schedule Tribe candidate would get promotion on the basis of accelerated promotion and cannot get accelerated seniority erstwhile. He got next promotion over and above Schedule Tribe candidate. Accelerated promotion will not get accelerated seniority in view of the Supreme Court in the case of Union of India and others etc. V/s Virpal Singh Singh Chauhan etc. reported in JT 1995 (7) 231. In view of this the applicant's grievance that he was not brought under zone of consideration has no merit.

4. In the result the DA is dismissed. No order as to costs.


(D.S. BAWEJA)
MEMBER(A)


(R.G. VAIDYANATHA)
VICE CHAIRMAN

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