

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.

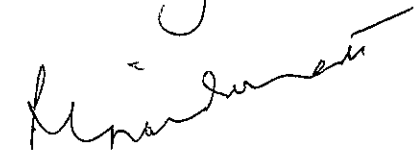
Shri V.S.Masurkar Advocate for  
Respondent(s)

CORAM

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

Hon'ble Shri D.S.Baweja, 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.

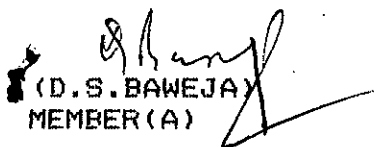


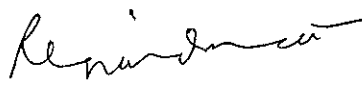
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It is admitted that the applicant belongs to Schedule Tribe. The respondents case is that the applicant got promotion to the present post of Chargeman Grade III on reservation policy and he being Schedule Tribe candidate got accelerated promotion ignoring 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 OA is dismissed. No order as to costs.

  
(D.S. BAWEJA)  
MEMBER (A)

  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN