

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO. : 910/97

Date of Decision : 12.6.2002

J.S.Shirsat

Applicant

Shri S.P.Kulkarni

Advocate for the
Applicant.

VERSUS

Union of India & Ors.

Respondents

Shri P.M.Pradhan

Advocate for the
Respondents

CORAM :

The Hon'ble Shri B.N.Bahadur, Member (A)

The Hon'ble Shri S.L.Jain, Member (J)

- (i) To be referred to the reporter or not ?
- (ii) Whether it needs to be circulated to other Benches of the Tribunal ?
- (iii) Library

S.L.Jain
(S.L.JAIN)
MEMBER (J)

mrj.

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA.NO.910/97

Wednesday this the 12th day of June,2002.

CORAM : Hon'ble Shri B.N.Bahadur, Member (A)

Hon'ble Shri S.L.Jain, Member (J)

Jagannath Sukadeo Shirsat,
R/at B-3/3, Postal Colony,
Sahar, Mumbai.

...Applicant

By Advocate Shri S.P.Kulkarni

vs.

1. Union of India
through Chief Postmaster General,
Maharashtra Circle, Old GPO Bldg.,
2nd Floor, Fort, Mumbai.
2. The Director of Postal Services(City),
O/O Chief Postmaster General,
Maharashtra Circle, Old GPO Bldg.,
Fort, Mumbai.
3. Postmaster General,
Pune Region, Near CSTO,
Pune.
4. Director of Postal Services (Project),
Air Mail Sorting Building,
Sahar, Mumbai.
5. Shri A.D.Karale,
H.S.G.-I, H.S.A.Pune R.M.S.
C/o.H.R.O. R.M.S. 'B' Division,
Pune.

...Respondents

By Advocate Shri P.M.Pradhan

SPM

..2/-

O R D E R (ORAL)

{Per : Shri S.L.Jain, Member (J)}

The applicant impugnes order dated 21.4.1997 (Ex.'A-1(a)') OA.page 14) which is extracted below :-

" With reference to your representation dated 11.2.1997 on the subject cited above, the Chief Postmaster General, Maharashtra Circle, Mumbai has directed to inform you that the HSG-I post is a selection post. Your case of HSG-I post has not been considered fit in first instance by the DPC constituted in terms of recruitment rules while case of Shri A.D.Karale was approved by DPC and promoted to HSG-I and posted accordingly. Your case was approved by the subsequent DPC and then you are promoted and posted in HSG-I accordingly. Therefore, your request of stepping up of pay with that of Shri A.D.Karale can not be considered."

2. The applicant claims that he belongs to SC Community which is not denied by the respondents.
3. The selection was to the post of Higher Selection Grade-I in Post Offices. As per Recruitment Rules, the post is a selection post for General Line Officials. As the applicant belongs to SC category, the critaria for selection post cannot be applied in his case which is also mentioned in Ex.'A-1(a)' (OA. page 14).
4. The applicant's junior A.D.Karale was promoted on adhoc basis vide order dated 22.9.1995. The applicant represented the matter vide his representation dated 11.2.1997 (Ex.'A-5'). The said representation of the applicant was decided vide the impugned order Ex-'A-1(a)'.

SMJW

..3/-

5. We have perused the DPC file. On perusal of the same, we find that the applicant was not treated as SC candidate as per Minutes dated 26.4.1994, also in the letter supplied for DPC meeting the applicant was not shown as SC category candidate. In view of Recruitment Rules cited above and the fact stated in reply Ex-'A-1(a)', there has been an error in not considering the applicant as per Recruitment Rules.

6. In the result, OA. is allowed. The applicant be considered for HSG-I as per Recruitment Rules as on 24.6.1994 and if found fit, he shall be entitled to all consequential benefits thereafter. No order as to costs.

S.L.JAIN
(S.L.JAIN)

MEMBER (J)

B.N.BAHADUR
(B.N.BAHADUR)

MEMBER (A)

mrj.

*Order/Notice to be despatched
to App. in dependent(s)
25/6/94*

W