

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.: 254/98

Date of Decision : 7.12.2000

S.B.Patil & Ors. Applicant.

Advocate for the
Applicant.

VERSUS

Union of India & Ors. Respondents.

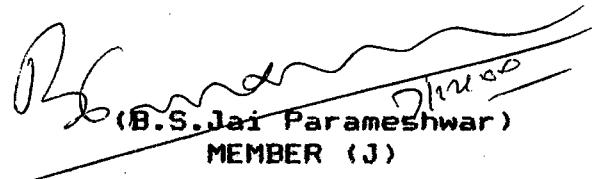
Shri V.S.Masurkar Advocate for the
Respondents.

CORAM :

The Hon'ble Shri B.S.Jai Parameshwar, Member (J)

The Hon'ble Smt.Shanta Shastry, Member (A)

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


(B.S.Jai Parameshwar)
MEMBER (J)

mrj*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA.NO.254/98

Thursday this the 7th day of December, 2000.

CORAM : Hon'ble Shri B.S.Jai Parameshwar, Member (J)

Hon'ble Smt. Shanta Shastry, Member (A)

S.B.Patil,
Deputy Commissioner (Revenue),
Divisional Commissioner's Office,
Nasik Division, Nasik & Ors.

... Applicants

V/S.

1. Union of India
through Secretary,
Ministry of Personnel,
Public Grievances & Pensions,
Dept. of Personnel & Training,
New Delhi.

2. The Chairman,
Union Public Service Commission,
Sahajahan Road, New Delhi.

3. The Chief Secretary,
Government of Maharashtra,
Mantralaya, Mumbai.

... Respondents

By Advocate Shri V.S.Masurkar

O R D E R (ORAL)

(Per : Shri B.S.Jai Parameshwar, Member (J))

None for the applicants. Heard Mr.V.S.Masurkar, learned
standing counsel for the respondents.


..2/-

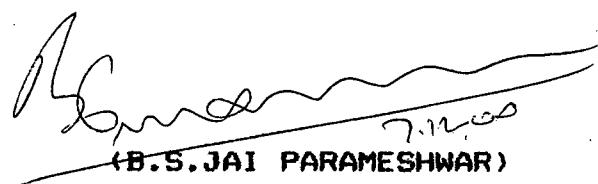
2. There are five applicants in this OA. They are State Civil Service Officers aspiring for promotion to the cadre of IAS as per Indian Administrative Service (Appointment by Promotion) Regulations, 1955. They have filed this OA. ~~for a direction to~~ the respondents to ~~strike~~ ^{strike} down the amendment to the Indian Administrative Service (Appointment by Promotions) Regulation 5 Sub Regulation 1 as unconstitutional and also the amendment to Regulation 7 Sub Regulation 4 be struck down which is the consequential amendment, as unconstitutional.

3. For the reasons fully discussed in OA.NO.251/98, we find no merit in this OA. The reasons stated therein are applicable to this application also. The applicants cannot ask for promotion to the cadre of IAS against future vacancies. In that view of the matter, OA. is dismissed. No order as to costs.

Shant Shastray

(SMT.SHANTA SHASTRY)

MEMBER (A)



7.11.00

(B.S.JAI PARAMESHWAR)

MEMBER (J)

mrj.