

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

J A I P U R .

T.A. no. 736/88

Date of decision: 23.9.93

TARA CHAND

: Applicant.

VERSUS

UNION OF INDIA

: Respondents.

Mr. M.S. Gupta

: Counsel for the applicant.

Mr. S.P. Bhargava

: Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

Hon'ble Mr. O.P. Sharma, Administrative Member

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

The applicant filed a suit in the court of learned Munsif, Jaipur(West), Jaipur and prayed that the respondents be directed to declare the result of the examination held in the month of January, 78.

2. The suit has been filed in the year 1984 after more than 6 years. The second prayer is that Ram Lal was appointed as Khalashi though he failed in the examination and he was given the grade of Rs. 330-480.


3. The respondents have submitted that there was a mistake in the examination as the senior most person, Baij Nath Pandey could not be intimated and on account of inadvertence, his name does not find place in the list of successful candidates, so the result of the examination was not declared and the whole examination was cancelled.

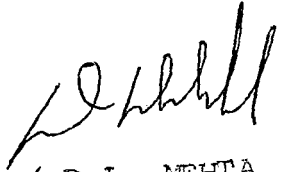
4. The second submission about Ram Lal is that he is a member of the Scheduled Tribe whereas the applicant is a member of the Scheduled Caste.

5. There are different quotas for different classes of persons, namely, Scheduled Caste and Scheduled Tribe and a person of the S.T., if available, can only be appointed against the reserved quota of S.T. and a person of Scheduled Caste cannot be appointed against the reserved quota of S.T. Apart from that, Ram Lal is not a party. For that reason alone,

the applicant has no case. Also there was a vacancy of the S.C. person and no person of the S.C. who has failed or who has passed or who was not senior to him has been appointed. In such circumstances, the applicant cannot claim any right of higher salary.

6. The T.A. is disposed of accordingly, with no order as to costs.


(O.P. SHARMA)
Administrative Member


(D.L. MEHTA)
Vice-Chairman