

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH  
JAIPUR.

O.A.No.1009/92

Dt. of order: 7.10.93

All India Non SC/ST Railway : Applicant  
Employees Association.

A 2

Vs.

Union of India & Anr. : Respondents

Mr. Manish Bhandari : Counsel for respondents

CORAM:

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

Hon'ble Mr. P.P.Srivastava, Member(Adm.).

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

The learned counsel for the respondents submits that this case is squarely covered by the judgment of this Bench in All India Shoshit Karmchari Sangh Vs. Union of India & Ors. O.A.No.357/93 decided on 21st Sept. 1993. In the light of the submissions made, we direct as under:

2. In case the quota has been exceeded and promotions have been given in excess of the quota then the persons so appointed or promoted shall not be reverted and these appointees/promotees shall be adjusted against future vacancies. However, we would like to make it clear that the respondents will have to determine the actual position of promotions and appointments so given and should not include the promotions given on merit under the general quota in the reserved scheme and they should be treated as promotions or appointments given in general quota. The respondents are further directed that the orders of the Court are complied with, within 3 months from receipt of a copy of this order. The O.A. stands disposed of accordingly. Parties to bear their own costs.

(P.P.Srivastava)  
Member(A)

(D.L.Mehta)  
Vice Chairman.