

Supreme Court of India

Supriya Sahu (Miss) vs Union Of India (Uoi) And Ors. on 21 July, 1994

Equivalent citations: 1994 (3) SCALE 625, (1994) 6 SCC 50

Bench: K Singh, M Punchhi, K Ramaswamy

ORDER

1. We have today pronounced judgment in Union of India and Ors. Vs, Rajiv Yadav, IAS and Ors. Civil Appeal No. 3542/92. The appeal has been allowed, the impugned judgment, of the Central Administrative Tribunal has been set aside and the principles of "cadre allocation" for reserved candidates have been upheld.

2. This writ petition has been filed by Supriya Sahu who is a scheduled caste candidate. In the counter affidavit filed on behalf of Union of India by Mr. V.K. Cherian, Under Secretary, Department of Personnel and Training, it has been stated as under: -

However, in this Writ Petition Kumari Supriya Sahu has claimed allotment to U.P. Cadre, her home State. Even if the provision made in the principles of cadre allocation for reserved candidates is upheld by the Supreme Court that will not automatically entitle Kumari Supriya Sahu for allotment to U.P. cadre. This is because there is already a candidate belonging to reserved candidate above her in the merit list hailing from U.P., whose appointment is pending.

3. In view of the stand taken by the Union of India no relief can be given to the petitioner by this Court. We, however, direct the Union of India to consider the case of the petitioner in accordance with the principles of cadre allocation for reserved candidates as upheld by this Court in Rajiv Yadav's case. The writ petition is disposed of. No costs.