

PETITIONER:
A. HAMSAVENI

Vs.

RESPONDENT:
STATE OF T.N.

DATE OF JUDGMENT 21/07/1994

BENCH:
SAHAI, R.M. (J)
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SINGH N.P. (J)

CITATION:
1994 SCC (6) 51 JT 1994 (4) 651
1994 SCALE (3) 656

ACT:

HEADNOTE:

JUDGMENT:

ORDER

1. We have today pronounced judgment in Union of India v. Rajiv Yadav, IAS1. 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. In view of our judgment in Rajiv Yadav case 1 this appeal by the Union of India has to be allowed. For the reasons given and the conclusions reached by us in Rajiv Yadav case 1, we allow this appeal, set aside the impugned judgment of the tribunal dated 28-4-1992 and dismiss the application filed by Ms Anju Gupta before the tribunal.

3. Anju Gupta is an IPS officer of 1990 batch. Although she was allocated to Himachal Pradesh cadre, as a result of the interim orders of the Central Administrative Tribunal she is serving in the Uttar Pradesh cadre. She has also undergone training in Uttar Pradesh in the Hindi language. In the facts and circumstances of this case, despite our reversing the tribunal's judgment, we direct that Anju Gupta shall continue to be allocated to the Uttar Pradesh cadre. This will, however, not debar the Central Government from transferring Anju Gupta from one cadre to another in terms of Rule 5(2) of the Cadre Rules on any justifiable ground arising after this judgment. The appeal is allowed in the above terms. No costs.

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