

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27283-2016

Date of Decision: January 09, 2017

Bharat Sanchar Nigam Limited and another

.....Petitioners

Versus

Sh.Swinderjit Singh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Ms.Deepali Puri, Advocate
for the petitioners.

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SURYA KANT, J.

Bharat Sanchar Nigam Limited and its Chief General Manager Telecom have preferred this writ petition challenging the order dated 30.09.2016 passed by the Central Administrative Tribunal, Chandigarh Bench (for brevity, 'the Tribunal') whereby the action of the petitioner-authorities in providing reservation in promotions has been set aside following a catena of decisions of the Hon'ble Supreme Court including **M.Nagraj and others vs Union of India and others** 2006(8) SCC 212 and **Suraj Bhan Meena vs State of Rajasthan** (2011) 1 SCC 467. There is a categorical finding of fact returned by the learned Tribunal that the petitioners have not collected any identifiable data regarding backwardness of the classes and inadequacy of their representation in public employment,

for whom reservation in promotions is sought to be provided.

Unless such an exercise is undertaken in terms of the dictum of the Apex Court, no exception can be taken to the view formed by the learned Tribunal.

No case to interfere with the order under challenge is made out.

Dismissed.

**(SURYA KANT)
JUDGE**

January 09, 2017
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**(SUDIP AHLUWALIA)
JUDGE**

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |