

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/20/485/2014

HYDERABAD, this the 24th day of February, 2020

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Admn. Member



P. Srinivas,
S/o. Kesava Rao,
Regular Mazdoor,
HRMS No.200002085,
O/o. Sub Divisional Officer Telecom,
JAGGAIAHPETA ó 521 175.

... Applicant

(By Advocate: Mr. M.V. Krishna Mohan)

Vs.

1. The Union of India rep. by
Secretary,
M/o. Communication & Information Technology,
20 Ashoka Marg,
New Delhi.
2. The Chief General Manager,
A.P. Telecom Circle,
Bharath Sanchar Nigam Limited,
BSNL, Hyderabad ó (A.P).
3. The Sr. General Manager, Telecom,
BSNL,
Vijayawada Telecom District,
Vijayawada.

... Respondents

(By Advocate: Mrs. A.P. Lakshmi, SC for BSNL)

ORDER (ORAL)**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**

The applicant joined the service of the department of Telecommunications as a casual labourer on 01.10.1986. It is not necessary to refer to the other facts except that he was disengaged on 01.02.1988 and was reinstated on 31.01.1991 at the instance of the Assistant Commissioner of Labour. When the applicant was denied the benefit of the entire service in the context of reckoning seniority from the date of initial engagement, he filed O.A. No.510/ 1995. It was allowed on 18.8.1997, directing that the applicant shall be extended the benefit of seniority from the date of his initial engagement but without any back wages. In compliance of the same, the respondents passed order dated 14.06.2001, regularising the services of the applicant from 17.12.1993 instead of 9.6.2000.

2. The grievance of the applicant is that the employees, who have joined the service along with him, were extended the benefit of promotion to the post of TM whereas he was denied the same. A comparison is drawn with one Sri J. Srinivasa Rao. In this background, this O.A. is filed with a prayer to promote him on par with other similarly situated employees, to the post of TM.

3. The respondents filed a detailed counter, opposing the O.A. It is stated that there is provision for promotion to the post of TM through Limited Departmental Competitive Examination, for short ó LDCE, also and that in the examination conducted in the year 2013, the applicant as well as Sri J. Srinivasa Rao appeared but the applicant failed in the examination. It is also stated that

Sri J. Srinivasa Rao qualified therein and accordingly he was promoted. The respondents stated that the applicant appeared in the LDCE 2014 and on being qualified in that examination, he has since been promoted.



4. We heard Ms. Swapna representing Sri M.V. Krishna Mohan, learned counsel for the applicant and Smt. A.P. Lakshmi, learned counsel for the respondents.

5. The grievance of the applicant is that he was not promoted to the post of T.M. The fact remains that in the year 2013, he took part in the LDCE but was not qualified. Again he appeared in the LDCE 2014 and it is not in dispute that he was qualified and accordingly he was promoted to the post of T.M. w.e.f. 24.05.2015. Therefore, we do not find any merit in the O.A. and accordingly it is dismissed. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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