

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

ORIGINAL APPLICATION NO.061/00006/2020
Chandigarh, this the 09th day of January, 2020

CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. MOHD JAMSHED, MEMBER (A)

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Ajay Kumar Aggarwal, aged about 48 years S/o Sh. Hans Raj Aggarwal, working as General Manager (F)/IFA, J & K Telecom Circle, Jammu, Group A

....Applicant

(Present: Mr. Manoj Kumar Sood, Advocate)

Versus

1. Bharat Sanchar Nigam Limited, Corporate Office, 7th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi – 110001 through its Chairman-cum-Managing Director.
2. Senior General Manager (Pers.) Bharat Sanchar Nigam Limited, Corporate Office, 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi – 110001.

..... Respondents

(Present: Mr. K.K. Thakur, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Heard.
2. Learned counsel submitted that the applicant was initially selected and appointed as DGM (TAFS) and further promoted as Joint General Manager (NF) grade of IDA w.e.f. 01.01.2017 vide order dated 31.03.2017. It is submitted that since DGM of both categories i.e. TMS and TAFS make feeder cadre for promotion to the post of General Manager, the respondents, after fixing their inter-seniority made promotion. It is contended that all the 43 persons, who joined along with him as DGM (TMS), have been promoted to the post of General Manager w.e.f. 11.04.2017 but applicant, despite being eligible, has



been discriminated. It is also contended that various representations dated 31.05.2018, 25.10.2018 and 26.11.2018 (Annexure A-10 colly) filed by the applicant seeking promotion to the post of General Manager could not yield any result. Therefore, the learned counsel suffered a statement that the applicant would be satisfied if a direction is issued to the respondents to consider and decide his claim for promotion within a stipulated period.

3. Issue notice to the respondents.

4. At this stage, Mr. K.K. Thakur, Advocate, appears and accepts notice. He does not object to the disposal of the O.A. in the above manner.

5. In view of consensual agreement between the parties, we deem it appropriate to dispose of the O.A., in limine, with a direction to the respondents to consider the indicated representations (Annexure A-10 colly) of the applicant seeking promotion to the post of General Manager and decide the same in accordance with law by passing a reasoned and speaking order, within a period of two months from the date of receipt of a copy of this order. Ordered Accordingly. It is further directed that upon such consideration by the respondents if the applicant is found to be eligible to the relevant benefit, the same be granted to him from the due date.

6. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(MOHD JAMSHED)
MEMBER (A)

Dated: 09.01.2020

PLACE: CHANDIGARH

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(SANJEEV KAUSHIK)
MEMBER (J)

