

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA



OA. 350/1676/2019

Date of order: 23.12.2019

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Shri Subarna Nandy, son of late  
Kumares Nandy, aged about 45 years,  
residing at Kshudieram Basu Road,  
Naopara, Barasat, District- 24 Parganas  
(North), Kolkata – 700124 and working to  
the post of Junior Accountant in the  
office of Chief General Manager, Telecom  
Stores in Bharat Sanchar Nigam Limited,  
Calcutta.

.....Applicant.

-versus-



1. Union of India, service through the Ministry of Telecommunication, Secretary, Department of Telecommunication, Sanchar Bhawan, Ashok Road, New Delhi-110001;
2. Bharat Sanchar Nigam Limited, a Government of India Enterprise through the Chairman- cum- chief Managing Director, Bharat Sanchar Nigam Limited, Harish Chandra Mathur Lane, Janpath, New Delhi- 110001.
3. The Chief General Manager, Telecom Stores (CGMTS), 3A, Chowringhee Place, BSNL, Kolkata- 700013.
4. The Assistant General Manager (A), office of the Chief General Manager, Telecom Stores (CGMTS), 3A, Chowringhee Place, BSNL, Kolkata- 700013.

5. The Administrative Officer, office of the Chief General Manager, Telecom Stores (CGMTS), 3A, Chowringhee Place, BSNL, Kolkata- 700013.
6. Shri Sudharsan Ram, Senior Accountant in the office of the Chief General Manager, Telecom Stores (CGMTS), 3A, Chowringhee Place, BSNL, Kolkata- 700013 service through the CGMTS, Kolkata.

.....Respondents.

For the Applicant : Mr. P.C. Das, Counsel

For the Respondents : Mr. A. K. Gupta, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.

2. This OA has been filed to seek the following reliefs:

"8(i) To pass an appropriate order directing upon the respondent authority to consider the applicant's promotion to the post of Senior Accountant from the post of Junior Accountant before the restructuring of Accounts Staff in Organized Accounts Cadres came into force on the basis of the eligibility as because he was appointed to the post of Junior Accountant with effect from 21.10.1998 and before Restructuring Order came into force, he became eligible for promotion of the said post but the respondent authority without granting promotion in favour of the applicant to the post of Junior Accountant against a particular vacancies, he was given an ad hoc promotion with effect from 21.10.1998 and subsequently regular promotion to the post of Junior Accountant with effect from 21.10.2001. Because of his eligibility and the vacancies arose, his promotion to the post of Senior Accountant may be considered with effect from the date of occurrence of vacancies arose before Restructuring Order came into effect and to give effect of the promotion from that date along with all consequential benefits in favour of the applicant.

(b) To pass an appropriate order directing upon the respondent authority to consider the case of the applicant in the light of the case of the private respondent namely Sri Sudharsan Ram whose ad hoc promotion was also considered by UP, BSNL by antedating his promotion to the post of Junior Accountant with effect from 30.12.2001. The same treatment



has to be made by the authority concerned in the case of the applicant for considering his promotion to the post of Senior Accountant from the post of Junior Accountant before the restructuring of Accounts Staff in Organized Accounts Cadres came into force on the basis of his eligibility by antedating the regular promotion to the post of Junior Accountant with effect from 21.10.1998."

3. Since the applicant has preferred a representation on 17.01.2019 seeking the same benefits as in the OA, which representation is yet to be disposed of, and since no fruitful purpose would be served by calling for a reply in this matter unless the representation is decided by the respondent authorities, we propose to dispose of the OA at the admission stage itself.

4. Accordingly, we direct the concerned respondent no. 3 or any other competent authority to consider the grievance of the applicant, as highlighted in his representation dated 17.01.2019, in accordance with law issuing an appropriate reasoned and speaking order, within a period of 2 months from the date of receipt of copy of this order.

5. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration.

6. The present OA accordingly stands disposed of. No costs.

(Dr. Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

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