

Central Administrative Tribunal, Principal Bench

Original Application No.2556 of 2001

New Delhi. this the 27th day of September, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. M.P. Singh, Member(A)

Tejveer Singh, Phone Mechanic
Office of General Manager
Ghaziabad Telecom District,
Ghaziabad(U.P.)

- Applicant

(By Advocate: Shri S.N. Anand)

Versus

1. Union of India through Secretary
Ministry of Communications
Sanchar Bhawan,
20, Ashoka Road, New Delhi-1

2. The Secretary
Department of Personnel and Training
North Block, New Delhi

3. The Chief General Manager.
UP(West) Telecom Circle
Dehradun(UP)

4. The General Manager
Ghaziabad Telecom District
District Ghaziabad(UP)

5. Shri Luxmi Dutt Shukla
Tea Maker(Canteen Employee)
Presently working as Phone Mechanic
Ghaziabad Telecom District
District Ghaziabad

- Respondents

O R D E R(ORAL)

By Justice Ashok Agarwal, Chairman

By the present OA, applicant seeks directions in respect of his seniority vis-a-vis that of respondent no.5.

2. Applicant had been engaged as a Casual Mazdoor with the canteen of Ministry of Communication w.e.f. 2.7.79. Respondent no.5 was engaged in the said canteen as a Tea Maker on casual basis w.e.f. 1.3.82. Services of the applicant were regularised w.e.f. 24.12.88. On the

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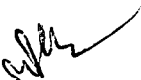
employees of the canteen being declared as Central Govt. employees, services of respondent no.5 were regularised w.e.f. 1.10.91. Both applicant as also respondent no.5 were promoted as Phone Mechanic w.e.f. 23.5.95. Whereas applicant was promoted by an order passed on 7.6.95, respondent no.5 was promoted by an order passed on 19.6.95. Both were promoted on provisional/ad-hoc basis w.e.f. 23.5.95. In the seniority list prepared for granting further promotions, respondent no.5 has been shown at two places, one at serial no.23 wherein his date of appointment has been shown as 1.3.82. He has also been arrayed at serial no.228(B) wherein his date of appointment has been shown as 1.10.91. Applicant has been arrayed at serial no.135 and his date of appointment has been shown as 24.12.88. Applicant has sent in his representations against the aforesaid placement of respondent no.5 vis-a-vis himself of 20.9.2000 (page 38) and 22.5.2001 (page 39). No response thereto has so far been given by the respondents. Based on the placement of respondent no.5 at serial no.23, he has been permitted to appear for a screening test for promotion to the post of Senior Telecom Office Assistant and he has been shown to have cleared the same. His results have been given on provisional basis.

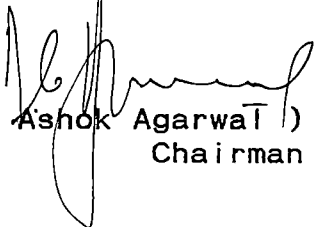
3. Having regard to the fact that aforesaid representations of the applicant have so far not been replied, we find that interests of justice will be duly met by disposing of the present OA at this stage itself even without issue of notice with a direction to the respondents to communicate their response to the applicant on the

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aforesaid representations expeditiously and within a period of eight weeks from the date of service of a copy of this order. Present OA be treated as an additional representation and respondents will communicate their response to the same by passing a speaking and reasoned order within the aforestated period of eight weeks. Present OA is disposed of in the aforeastated terms.


(M.P. Singh)
Member(A)


(Ashok Agarwal)
Chairman

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