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Central Administrative Tribunal
Principal Bench

O.A. No. 1098 of 1997

M.A. No. 650 of 1999

M.A. No. 1125 of 1999

New Delhi, dated this the 19th May, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Shri Bharat Kumar Chouhan,
S/o Shri Som Chandji Chauhan,
Akashwani Colony,
Near Vyas Colony,
Bikaner (Rajasthan).

.. Applicant

(By Advocate: Shri Arun Bhardwaj)

Versus

1. Union of India through
the Secretary,
Ministry of Information & Broadcasting,
New Delhi.

2. Director General,
All India Radio,
Akashvani Bhawan,
Parliament Street,
New Delhi-110001.

.. Respondents

(By Advocate: Shri S.M. Arif)

ORDER (Oral)

MR. S.R. ADIGE, VC (A)

Heard both sides.

2. It is not denied that applicant's case is fully covered by the order of the C.A.T., Ernakulam Bench dated 9.12.96 in O.A. No. 1046/94 K.A. Muralidharan & Anr. Vs. Union of India & Others and connected cases, which has been upheld vide Hon'ble Supreme Court's order dated 30.7.99 in SLP (C) No. 21747/97 Union of India & Others Vs. Chetan S. Naik JT 1999 (5) SC 217. By the aforesaid judgment of the Hon'ble Supreme Court dated 30.7.99 in Chetan

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S. Naik's case (supra) the C.A.T. (Full) Madras Bench's order dated 3.6.979 in O.A. No. 960/94 and the consequential orders have been held as not laying down the correct law and the view taken by the C.A.T., Ernakulam Bench in Muralidharan's case (supra) has been upheld.

3. In this connection Shri Arun Bhardwaj states that after the C.A.T. Ernakulam Bench had disposed of Muralidharan's case (supra) on 9.12.96 Respondents have made further promotions also to the post of Station Director in 1997-98 and prays that applicant be considered for the aforesaid post if juniors had been so promoted.

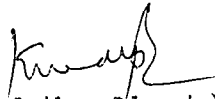
4. We, therefore, dispose of the O.A. with a direction to respondents to extend the benefits contained in Muralidharan's case (supra) to the applicant also with such consequential benefits as will flow therefrom. If, consequent to the application of Muralidharan's case (supra) to the present applicant, he becomes eligible for consideration for promotion to the higher post of Station Director (Senior Time Scale) Respondents should also consider applicant's case for such promotion in accordance with rules and instructions.

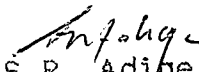
5. These directions should be implemented as expeditiously as possible and preferably within a period of three months from the date of receipt of a copy of this order. No costs.

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6. Attendant M.As also stand disposed of.


(Kuldip Singh)
Member (J)


(S.R. Adige)
Vice Chairman (A)

/GK/