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CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench, New Delhi

D.A. No. 447/1988

New Delhi, This the 11th Day of April 1994

Hon'ble Shri N. Dharamadan, Member (J)

Hon'ble Shri P.T. Thiruvengadam, Member (A)

1) Shri Gobind Menghani
Engg. Asstt to Supdtending Surveyor of Works(E)
Dept of Telecom, Devika Towers(13th Floor) Nehru Place
New Delhi.

2) Shri N.L. Khanna
Asst Engineer(E) Postal Elect Sub Division,
Dak Tar Bhawan
New Delhi.

Applicants

By Advocate Shri K. L. Bhandula

Versus

1. Union of India through Secretary,
Ministry of Communications,
Dept. of Telecommunications,
Sanchar Bhawan, New Delhi.

2. Member (Personnel),
Telecommunications Board,
Department of Telecommunications,
Sanchar Bhawan, N. Delhi.

3. Deputy Director General (T),
Dept. of Telecommunications,
Sanchar Bhawan, New Delhi.

4. Sh. V.K. Dogra,
Asstt. Director,
C/O Director Building Sciences,
A.L.T.T. C. Ghaziabad (U.P)

5. Sh. S.K. Virmani,
Asstt. Surveyor of Works(Elect),
D/O Superintending Surveyor of Works(Elect),
Dept. of Telecommunications,
Devika Towers (13th & 15th floor)
6, Nehru Place, New Delhi.

6. Sh. K.K. Jindal,
Assistant Engineer (Elect),
Telecom Elect. Sub Division,
Kidwai Bhawan, Janpath, New Delhi.

7. Shri Pradeep Nettur,
Asstt. Engineer (Elect),
Telecom Elect. Sub Division,
Dr. Menon Road, Calicut (Kerala)

8. Shri K.P. Ramanandan,
Asstt. Surveyor of Works (Elect),
D/O Superintending Surveyor of Works(Elect),
Dept. of Telecom,
Devika Towers(13th & 15th floor)
6, Nehru Place, New Delhi.

RESPONDENTS

9. S.S. Dumbhare,
Assistant Engineer (Elect).
Telecom Elect. Sub Division II,
Sion P.O. Bldg, 4th floor,
Bombay-22

10. Sh. R.K. Jain,
Assistant Engineer (Elect)
Telecom Elect. Sub Div V,
Worli Telephone Exchange Bldg, (3rd floor)
Bombay

11. Sh. T.R. Vishwanathan,
Assistant Surveyor of Works (Elect).
O/O Superintending Surveyor of Works (Elect).
Devika Towers (15th floor),
Nehru Place, New Delhi.

12. Sh. C.S. Juneja,
Assistant Surveyor of Works (Elect),
Devika Towers (15th floor)
Nehru Place, New Delhi.

13. Sh. Sunder Pal,
Assistant Surveyor of Works (Elect),
Telecom Elect. Circle,
A 7, 8 & 9, Samrat Bhawan,
Ranjit Nagar, New Delhi.

14. Sh. S.B. Gupta,
Assistant Surveyor of Works (Elect)
Telecom Elect. Circle,
A 7, 8 & 9, Samrat Bhawan,
Ranjit Nagar, New Delhi.

15. Sh. N. K. Dhillon,
Assistant Surveyor of Works (Elect),
O/O Superintending Surveyor of Works (E),
Devika Towers (15th floor),
Nehru Place, New Delhi.

16. Sh. Radhey Mohan,
Assistant Surveyor of Works (Elect),
O/O Superintending Surveyor of Works (E)
Devika Towers (15th floor),
Nehru Place, New Delhi.

RESPONDENTS

Contd

17. Sh. D. Ramachandra Rao,
Assistant Engineer (Elect)
Telecom Elect. Sub Division,
11-5-411, Reddy Hills,
Hyderabad (A.P)

18. Sh. Sudheendran,
Assistant Surveyor of Works (Elect),
Telecom Elect. Circle,
160 Greams Road,
Madras- 600006

19. Sh. Godhan Prakash,
Assistant Surveyor of Works (Elect),
Telecom Elect. Circle, Hazrat Ganj,
Lucknow(U.P) RESPONDENTS

20. Sh. M. Arulmani,
Assistant Engineer (Elect),
Telecom Elect. Sub Division,
Valmiki Street,
Subramaniapuram, Salem (Tamil Nadu).

21. Sh. Ram dhar Sharma,
Assistant Surveyor of Works (Elect),
Telecom Elect. Circle,
P-36, C.R. Avenue, Yoga Yog Bhawan,
Calcutta-700012,

22. Sh. E.M. Palanimuthu,
Assistant Engineer (Elect),
CTO Compound,
Thallakulam, Madurai-625002.

23. Sh. Saumya Mitra,
Assistant Surveyor of Works (E),
P-36, Chitranjan Avenue,
YogaYog Bhawan,
Calcutta-7000012.

24. Sh. V. Raja Ram,
Assistant Surveyor of Works (Elect),
Telecom Elect. Circle,
160 Greams Road, Madras

25. Sh. K.D. Sawai,
Assistant Surveyor of Works (Elect),
Postal Elect. Circle,
35, Vishwakunj Colony,
Baliakaka Road,
Ahmedabad-380028.

26. Shri Faquir Chand,
Assistant Engineer (Elect)
Telecom Elect. Sub Division VI,
Laxmi Nagar Telephone Exchange Bldg, (Temporary
Shed on Ground Floor),
Delhi 110092.

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ORDER (Oral)

Hon'ble Shri N. Dharamadan, Member (J)

1. This is an old matter pending for a long time. The limited grievance of the applicants, who are at present working as Asst Engineers(E) under the Ministry of Communications, Dept of Telecommunications is that their seniority from Nov 1977 taking into account the adhoc service has not been accepted by the Department in spite of the decisions of CAT settling the claim for counting ad hoc service along with the regular service. In the original application the applicants have challenged Annexure I and II, the provisional seniority lists issued in the years 1986 and 1987. During the pendency of this original application the Department issued a final seniority list vide office memorandum dated 3.2.93 indicating that the department had followed the direction of the Calcutta Central Administrative Tribunal's order in TA No.20/87 dated 30.3.1991. The applicants were at serial No.83 and 84 in the list. They have been given a deemed date of regular promotion from 18.12.78. According to the applicants this date is incorrect and they are entitled to count their seniority from Oct 1977 taking into account the adhoc or ^{from} atleast _{from} the date of their juniors who were given promotion. They also submitted that the interse seniority between the applicants and their juniors similarly situated was not correctly fixed and it requires re-consideration. Considering the contentions in the original application we are of the opinion that the applicants' case require consideration by their competent authority with an open mind uninfluenced by the statements in the reply filed by the respondents.
2. Having heard the learned counsels on both sides we are satisfied that the only relief

that can be granted to the applicants is to give them an opportunity to place their grievances before the respondents with all the materials and documents in support of their claim.

3. We are of the opinion that the original application can be disposed of with a direction to the applicants to file a detailed representation either jointly or individually before the first respondent and raise their contention for getting seniority from Oct 1977 and also settling their interse seniority vis à vis their juniors. This shall be done within a period of 3 weeks of the date of receipt of the copy of the judgement. We further direct the first respondent to dispose this representation within 3 months from the date of receipt of the representation as indicated above in a fair and sympathetic manner. This DA is disposed of on the above lines. No costs.

P.T. TIRUVENGADAM
(P.T. THIRUVENGADAM)
Member(A)

N. Dharmar
(N. DHARAMADAM)
Member(J)
11.4.94.

LCP