



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**O.A. No. 173/2020**

**This the 18<sup>th</sup> day of March, 2020**

**Hon'ble Mr. Pradeep Kumar, Member (A)  
Hon'ble Mr. R.N. Singh, Member (J)**

Shri Mukesh Bhardwaj,  
S/o Shri R.S. Bhardwaj, 'C'  
R/o 72-Banu Enclave,  
Pitam Pura, New Delhi-110034  
TOA (P)-7471, E.No.D0301141  
HRD No. D5026765 Age 59 years

...Applicant

(By Advocate: Sh. Vimal Wadhawan  
with Ms. Megha Mehta)

**VERSUS**

1. Union of India,  
Through Secretary,  
Ministry of Telecommunications,  
Dept. Of Communication,  
Sanchar Bhawan, Ashoka Road,  
New Delhi- 110001
2. Mahanagar Telephone Nigam Ltd.,  
Through C.M.D.,  
Door Sanchar Sadan,  
C.G.O. Complex, Lodhi Road,  
New Delhi
3. General Manager (Vigilance), MTNL,  
G.M.T. Khursheed Lal Bhawan,  
Janpath, New Delhi-110001

...Respondents

(By Advocates: Sh. Trilok Singh for Ms. Avinash Kaur for  
Respondent No. 1;  
Sh. Jasbir Bidhuri for Respondents No.  
2 and 3)

**ORDER (Oral)****Hon'ble Mr. Pradeep Kumar, Member (A):**

Sh. Vimal Wadhawan with Ms. Megha Mehta, learned counsels appeared for the applicants. Sh. Trilok Singh appeared as proxy to Ms. Avinash Kaur, learned counsel for the Respondent No. 1. Sh. Jasbir Bidhuri, learned counsel appeared for Respondents No. 2 and 3.

2. Learned proxy counsel for the Respondent No. 1 mentions that Respondent No. 1 is only the proforma party as the applicant is an employee of MTNL, who is already represented as Respondents No. 2 and 3.

3. The applicant has sought relief for implementation of promotion order dated 14.10.2019, wherein he was promoted under OTBP Scheme w.e.f. 30.01.1997 to a pay scale equivalent to NE-8. The applicant pleads that financial benefit as per this promotion order, has not been paid to him as yet.

4. The applicant has also sought relief for certain further consequential promotions to the scale NE-8, NE-9, NE-10 and NE-11 from various dates as might become due.

5. When the matter was taken up for hearing, the respondents produced a copy of the DPC minutes which was held on 09.12.2019 to consider the financial



upgradation in the cadre of Telephone Operator from the NE-8 level to NE-9 level. It is seen from these DPC Minutes that Sh. Mukesh Bhardwaj, the applicant herein, was not considered “fit” as he was under suspension at that point of time.

6. The matter has been heard.

7. Respondents are directed to implement the promotion order already issued on 14.10.2019 as expeditiously as possible and in any case within eight weeks of receipt of certified copy of this order.

As regards promotion to NE-9 level, the applicant has liberty to challenge the DPC Minutes dated 09.12.2019, if he is so advised.

8. The OA stands disposed off in the aforesaid terms. However, it is made clear that if any of the grievance still survives, the applicant shall be at liberty to agitate the same in accordance with law. No order as to costs.

**(R.N. Singh)**  
**Member (J)**

**(Pradeep Kumar)**  
**Member (A)**

/akshaya/