

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No.RA- 191/92 In Date of decision 29.06.92.
OAs- 1661/91, 1885/91, 2503/91, 2504/91,
2507/91, 2609/91, 2155/91, 1674/91,
1675/91 and 1676/91.

Shri R.L. Kapoor & Ors. Applicants

Versus

Union of India & Ors. Respondents

CORAM:

The Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judi.)

The Hon'ble Mr. A.B. Gorthi, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgment? *Y*
2. To be referred to the Reporters or not? *NC*

(Judgement by Hon'ble Mr. P.K. Kartha, V.C.)

The petitioners in this R.A. are the applicants and connected matters *2* in OA-1661/91 which was disposed of by judgement dated 22.4.1992 along with a batch of applications in which similar issues had arisen for consideration. The two basic issues which arose for consideration were (i) whether the applicants and persons similar to them are entitled *2*

to promotion from the grade of Junior Engineer to the next higher grade in the Telegraph Engineering Service Group 'B' (Assistant Engineers and equivalent posts) on the basis of the year of passing the qualifying departmental examination envisaged in para 206 of the P & T Manual and not on the basis of their respective seniority as had been adopted and followed by the respondents, and (ii) whether in the facts and circumstances, they are entitled to refixation of inter se seniority on the said basis and promotions with retrospective effect together with back wages.

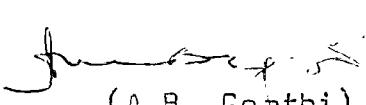
2. After going through the records of the case carefully and hearing both the parties, the Tribunal held, inter alia, that the applicants are entitled to the benefit of the judgement of the Allahabad High Court dated 20.2.1985, except that in the event of refixation of seniority and notional promotion with retrospective effect, they would be entitled only to refixation of their present pay which should not be less than those who were immediately below them, and that they would not be entitled to back wages.

3. In the present R.A., the petitioners have sought for a review of the judgement to the extent that the applicants be given the arrears of pay and allowances

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consequent upon the refixation of seniority and notional promotion with retrospective effect.

4. On going through the grounds raised in the R.A., we see no error apparent on the face of the judgement. The petitioners have also not brought out any fresh facts warranting a review of the judgement. The R.A. is, accordingly, dismissed.


(A.B. Gorthi)
Administrative Member


(P.K. Kartha)
Vice-Chairman (Judl.)