

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

C.C.P. No.161 of 1993
in
O.A. No.314 of 1991

182

New Delhi, dated the 20th May, 1996

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

HON'BLE Mrs. LAKSHMI SWAMINATHAN, MEMBER (J)

1. Shri A.S. Choudhry,
S/o late Shri Jeet Singh,
(presently posted as JTO,
O/o SDO (Phones),
Delhi Cantt. Telephone Exchange,
New Delhi-110010.
2. Shri Ujagar Singh Arora,
S/o Shri H.S. Arora,
J.T.O.,
O/o the Sr. DDG, TEC,
Khursheed Lal Bhawan,
New Delhi.
3. Shri Rajpal,
S/o Shri Ganga Ram,
J.T.O.,
O/o the A.E. (A)/(T),
External Plan (West),
Rajouri Garden Telephone Exch.
New Delhi.
4. Shri S.K. Gangopadhyay,
S/o Shri P.L. Gangopadhyay,
J.T.O.,
O/o A.E. (ITN-I),
4th Floor, Telephone Exchange,
Karol Bagh,
New Delhi.
5. Shri Chain Pal Singh,
S/o Shri K.P. Singh,
J.T.O.
CD Section,
ALT Centre,
Ghaziabad, U.P.
6. Shri V.M. Singh,
S/o Shri R.S. Chauhan,
J.T.O. Office TE-I,
Academic Block, ALT Centre,
Ghaziabad.
7. Shri lala Ram,
S/o Shri Lakhmi Singh,
J.T.O.
O/o the A.E. J.N. CXL Maintenance,
Kidwai Bhawan,
New Delhi.

103

8. Shri Jatish Chander,
S/o Shri K.L. Sharma,
J.T.O.
O/o A.E. JN, CXL, Maintenance,
Telephone Exch. Raj Nagar,
Ghaziabad.
9. Shri Madan Singh,
S/o Shri Chander Singh,
J.T.O.
O/o the SDO (Phones-II),
Jor Bagh Telephone Exch.
New Delhi.
10. Shri R.K. Tanwar,
S/o Shri R.K. Tanwar,
J.T.O.,
O/o the SDO (P),
Delhi Cantt Telephone Exch.
New Delhi.
11. Shri Virender Prakash,
S/o Shri G.N. Sharma,
J.T.O., O/o the COC-II (S),
B-6-7/20, Safdarjung Enclave,
New Delhi
12. Shri R.S. Panwar,
S/o Shri Ram Kishan,
J.T.O.
O/o COC (S),
B-6-7/21, Safdarjung Enclave,
New Delhi.
13. Shri Brijesh Tyagi,
S/o Shri Prakash Tyagi,
J.T.O.,
O/o the A.E. (A/T),
South External Plant,
Nehru Place,
New Delhi.
14. Shri Rajender Prashad,
S/o Shri Ayodhya Prasad Sharma,
J.T.O.,
Room No. 203,
Academic Block,
ALT Centre, Ghaziabad.
15. Shri Shiv Charan,
S/o Shri Nathu Ram,
R/o RZ/62-K/9, Vashishta Park,
Pankha Road,
New Delhi.
16. Shri Rajendr Kumar,
S/o Shri Anant Ram,
J.T.O.,
O/o A.E. (TM) S-I,
Kidwai Bhawan,
New Delhi.
17. Shri Tribhuvan Singh,
S/o Shri Bhawan Kabsh Singh,
O/o A.E., CXL Maintenance,
Ghaziabad.

18. Shri Ashok Kumar Kohli,
S/o Shri M.R. Kohli,
J.T.O.,
O/o A.E. Jn.,
CXL Maintenance,
Janpath,
New Delhi.

104

19. Shri Mahender Pal,
S/o Shri Gopal Dass,
J.T.O.,
O/o A.E. Jn. Cxl Maintenance,

20. Shri Mahender Singh Bhati,
S/o Shri Charan Singh,
R/o 6/178, Sector 2,
Rajendra Nagar,
Sahibabad,
Distt. Ghaziabad (U.P.) APPLICANTS

(By Advocates: Shri Shankar Divate for the
applicants 1 to 6 and 8 to 20
Shri D.S. Choudhry for the
Applicant No.7

VERSUS

1. Shri H.P. Wagle,
Chairman,
Telecom Commission.
Dept. of telecom.,
Sanchar Bhawan,
New Delhi-110001. RESPONDENT

(By Advocate: Shri M.M. Sudan)

ORDER (Oral)

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

We have heard Shri Shankar Divate for
the applicants 1 to 6 and 8 to 20 and Shri
D.S. Choudhry for the applicant No.7 and Shri
M.M. Sudan for the Respondents.

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105

2. Shri Divate has very fairly stated that nothing survives in the CCP in respect of 19 applicants out of 20 applicants whom he represents, in view of the dismissal of the connected CCPs vide judgment dated 3.7.95 in C.C.P. No.253/95 in O.A. No.1758 of 1991 and other connected cases.

3. Shri D.S. Choudhry, Counsel for the applicant No.7 (Shri Lala Ram) states that despite the Tribunal's directions to promote Shri Lala Ram, he has not yet been promoted and his name has been kept in a sealed cover. Shri Choudhry states that this is not a case where the applicant's name should have been kept in a sealed cover.

4. In this connection Shri M.M. Sudan has invited our attention to the additional affidavit dated 1.5.95 furnished by the official Respondents whereby the reasons for keeping the applicant's (Shri Lala Ram) case in a sealed cover has been explained. It has been stated that the DPC meeting was held between 10.5.94 to 17.5.94 in which the applicant (Shri Lala Ram)'s case was also considered but his case was kept in a sealed cover for the reason that Shri Lala Ram with other officials had been apprehended by the C.B.I. in a raid on 5.1.94 and immediately thereafter Shri Lala Ram was placed under suspension. Although the applicant's suspension was subsequently revoked on 29.9.94 (Shri Choudhry states the date of


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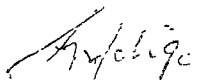
106

revocation should be 20.9.94), as the CBI was investigating the case of Shri lala Ram, the recommendations of the DPC had been placed in a sealed cover in terms of Para 2(iii) of the DOPT O.M. dated 14.9.92.

5. It is well settled that the purpose of a CCP is to ensure respect and decorum to the judicial process. A C.C.P. is not an instrument for securing the private rights of an individual. If the applicant (Shri Lala Ram) is aggrieved by the placement of his case in a sealed cover it is open to him to agitate the same in accordance with law. A C.C.P. is not the appropriate mode for doing so.

6. Under the circumstances, nothing further survives in this CCP, which is accordingly dismissed and the notices against the alleged contemnors are discharged. No costs.


(Mrs. LAKSHMI SWAMINATHAN)
Member (J)


(S.R. ADIGE)
Member (A)

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