

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

HON. SMT. LAKSHMI SWAMINATHAN, MEMBER 'J'
HON. SHRI R.K. AHOOJA, MEMBER 'A'

OA NO.465/92 WITH
OA NO.466/92

12

NEW DELHI, THIS 31ST DAY OF JANUARY, 1997

OA NO.465/92

1. SHRI M.P. JAIN 'Staff No.06945'
s/o lt. Sh. Shital Prasad Jain
r/o 208-A, J. Extension
Gali No.7, Lakshmi Nagar
DELHI-92
2. SHRI V.K. Khugar 'Staff No.06288'
S/o lt. Shri Mohan Lal
r/o
C-63- Y4, Dilshad Garden
DELHI-95
3. SHRI KULWANT SINGH 'Staff No.5762'
S/o Shri G.R. Singh
r/o A-69 Rajouri Garden
NEW DELHI
4. SHRI ASHWANI KUMAR AJMANI 'Staff No.5783'
S/o lt. Shri Hans Raj
r/o I/139 Kirti Nagar
NEW DELHI-15
5. SHRI SUNEEL KANT GUPTA 'Staff No.06989'
s/o lt. Shri Ram Chand
r/o E-41 Preet Vihar
DELHI-92.
6. SHRI C.B. SHARMA 'Staff No.5981'
s/o lt. Shri Ram Prasad
r/o 1/4545 Ram Nagar Extn.
Shahdara, DELHI-32
7. SHRI V.P. KATARIA 'staff No. 6029'
s/o lt. Shri Jai Diyal Kataria
r/o 169 Sharda Niketan
Pitampura, DELHI
8. SHRI SURESH KUMAR KHINDRI 'Staff No.7013'
s/o Shri Bhagirath Ram Khindri
r/o 327-D, J&K Pocket
Dilshad Garden, DELHI-95
9. SHRI VIRENDER KUMAR 'Staff No.4674'
s/o Shri Shri Ram
r/o ASC/8A Janakpuri
NEW DELHI-58
10. SHRI GURBACHAN LAL 'staff No.7000'
s/o lt. Satpal Sood
r/o F-467 Vikaspuri
NEW DELHI-18

18.

contd.. 2/-



11. SHRI M.K. SAFAYA 'Staff No.5967'
s/o lt. Shri S.L. Safaya
r/o 273 Laxmi Bai Nagar
NEW DELHI

...APPLICANTS

'By Advocate Shri N. Safaya'

OA NO.466/92

1. SHRI M.L. MAHAJAN 'Staff No.5277'
s/o lt. Shri Gauri Mal Mahajan
r/o K-81 Sheikh Sarai, Phase II
NEW DELHI-17
2. SHRI ATMA RAM SHARMA 'Staff No.5012'
s/o Shri Giri Lal
r/o EPT-30 Sarojini Nagar
NEW DELHI-23
3. SHRI J.D.S. BAWA 'Staff No.6914'
s/o lt. Shri H.S. Bawa
r/o PD-42/B RPS
Near N.D. Market, Pitampura
DELHI-34
4. SHRI H.L. AHEER 'Staff No.04025'
s/o Shri Dulla Ram
r/o B-3/435 Pashchim Vihar
NEW DELHI-63
5. SHRI MOHINDER PAUL PURI 'Staff No.5686'
s/o lt. Shri Kashmiri Lal Puri
r/o A-4/73 Pashchim Vihar
NEW DELHI-63
6. SHRI BHIM SEN DHINGRA 'Staff No.5685'
s/o Shri Kewal Ram Dhingra
r/o AG-I/167-D Vikas Puri
NEW DELHI

'By Advocate - Shri N. Safaya'

VERSUS

1. Union of India, through
Secretary
Ministry of Communication
Sanchar Bhawan
NEW DELHI
2. Telecom Commission
Through its Chairman
Sanchar Bhawan
NEW DELHI
3. Director General
Telecommunication
Sanchar Bhawan
NEW DELHI

..RESPONDENTS

'By Advocate - None'

contd. .. 3/-

ORDER 'ORAL'

SMT. LAKSHMI SHAMINATHAN, MEMBER 'J'

(1X)

The ld. counsel for the applicant has submitted that the facts and issues involved in these two O.A.s are similar. Therefore, both these cases have been taken up for disposal by a common order.

2. The applicants are aggrieved that the respondents are not extending to them the benefit of the judgement of this Tribunal in the case of DALJEET KUMAR (O.A. NO.1599/1987) delivered on 7.6.1991. The learned counsel submits that subsequently, following this judgement, the Tribunal in O.A. No.2407/88 and connected cases, ^{had} decided a similar matter on 22.4.1992.

3. In the reply, the respondents have admitted that the judgement of the Tribunal in O.A.1599/87 has been upheld by the Hon. Supreme Court in SLP No.19716. They have also stated that "the respondents already stand committed to implement the decisions of Hon'ble Tribunal, Principal Bench, New Delhi dated 22.4.92 in respect of the entire cadre of TES, Group 'B'. The work has been undertaken to refix the seniority of TES, Group 'B' officers from 1973 onwards in accordance with the decision of the Tribunal." They have also stated that the Tribunal had granted extension of time for implementation of the order up to 21.4.1993 for completing the exercise.

4. The learned counsel for the applicant submits that the respondents have yet not issued the order granting the benefit of the judgement of the Tribunal, as mentioned above. Unfortunately, the respondents are not before us to dispute or confirm this and to place on record the latest position. The learned counsel has also submitted that

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in respect of other judgements/orders of the Tribunal, contempt petitions are pending in various Benches of this Tribunal.

5. In view of the above facts and circumstances of the case, the O.A. No.465/92 and O.A. No.466/92 are disposed of with the following directions:-

"If the respondents have given the benefits of the order quoted above to other individuals, they shall give the same benefits to the applicants in these O.A.s also. If not, the respondents shall pass an order in terms of their commitments referred to above, in respect of the applicants ^{18.} ~~as~~, as given to the other persons belonging to the cadre of TES Group 'B' expeditiously.

6. O.A. No.465/92 and O.A. No.466/92 are disposed of as above. No order as to costs.

'R.K. AHOOJA'
MEMBER 'A'

'LAKSHMI SWAMINATHAN'
MEMBER 'J'

'avi'

Attested
18/12/97
20/2/97
CO - CTV