

(22)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 690/92

New Delhi this the 3rd August 1994

Hon'ble Shri J.P. Sharma, Member (J)

Hon'ble Shri S.R. Adige, Member (A)

Shri Jagdish Prasad,  
son of Late Shri R.R. Singh,  
Asstt. Engineer Planning (M.M.),  
Office of C.T.O. Compound,  
Agra.

and

Shri D.L. Sharma,  
son of Shri Ram Sharma,  
Asstt. Engineer Trunks Tax Bhawan,  
Agra.

(By Advocate: Shri P.N. Gupta)  
Vs.

... Applicants

Union of India

1. The Secretary,  
Ministry of Communications,  
Sanchar Bhawan,  
New Delhi.
2. Telecom Board through  
its Chairman, Telecom Board,  
Sanchar Bhawan,  
New Delhi-110 001.
3. Director General,  
Dept. of Telecommunications,  
Sanchar Bhawan,  
New Delhi.
4. Shri P.N. Lal (Staff No. 7035),  
A.G.M. (Officiating),  
office of the CGM Northern Telecom Region,  
Kidwai Bhawan, New Delhi. ... Respondents

(By Advocate : Shri V.S.R. Krishna)

O R D E R (Oral)

Hon'ble Shri J.P. Sharma, Member (J)


The applicants while Members of TES Group 'B' in the Department of Telecommunication have filed this application while working as Assistant Engineer for the grant of the relief stated in para A to E.

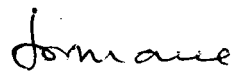
2. Notice was issued to the respondents who have given a copy of the reply to the learned counsel for the respondents but did not file the same in the registry.

The applicant has also filed rejoinder. It is stated that by the order dated 14.5.1993, the Hon'ble Supreme Court has directed that all the Benches of the Tribunal stay hearing of similarly placed employees filed in the various Benches.

3. It also transpires from the record that in consonance with some of the decisions of the CAT Benches, the seniority list of TES Group 'B' has since been revised regarding the present applicants. This case was stayed under the direction of the Hon'ble Supreme Court but since in SLP No. 16698/92, the Hon'ble Supreme Court has already delivered a decision dated 13.5.1994 whereby the applicants filed similar appeal No. 1814/93 alongwith others was disposed of as having been dismissed. There are certain observations in the judgement. The respondents are directed to comply with the direction of the judgement <sup>& not already complied with</sup> and the applicants also <sup>be</sup> preferred representation in that light, If the applicants have any surviving grievance after this judgement of the Hon'ble Supreme Court. The respondents <sup>be</sup> have <sup>be</sup> considered the representation in the light and ratio of the decision of the Hon'ble Supreme Court referred to above. It is expected that revised seniority list shall also fall within the line of the judgement of the Hon'ble Supreme Court in the framework of the guidelines enunciated therein. Shri V.S.R. Krishna appears for the respondents and states that the respondents are taking steps as per the direction of the Hon'ble Supreme Court in the dismissed appeal referred to above of TES Association <sup>by</sup> ~~in~~ the order of 13.5.1994. He also referred to the counter that the seniority list has been revised but the counsel for the applicant has asserted that the respondents in Para 4 of their reply have stated that the seniority list has been revised in pursuance of the judgement of the Principal Bench. However, the facts

remains that the respondents had considered the whole matter in the light of the decision of the Hon'ble Supreme Court. A copy of the counter taken from the counsel for the applicant be kept on record. Court Officer has also placed a copy of the <sup>judgment in the</sup> SLP, of the Hon'ble Supreme Court in both Part 'A' and 'B'. The application, therefore, is disposed of accordingly. Parties to bear their own costs.

  
(S.R. Adige)  
Member(A)

  
(J.P. Sharma)  
Member(J)

\*Mittal\*