

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 30th day of October, 2001.

C O R A M :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. C.S. Chadha, Member-A.

Orginal Application No. 41 of 2001.

Suraj Mal Meena S/o Sri Prabhati Lal Meena
R/o Dila Ram Palace, Camel's Back Road, Kulri,
Mussoorie and at present working as Telephone
Operator in Telephone Exchange, Mussoorie Office
of the General Manager, Telephone Department, Dehra Dun.

.....Applicant.

Counsel for the applicant :- Sri S.N. Mishra

V E R S U S

1. Union of India represented through the Secretary to the Govt. of India, M/O Telecommunications, Sanchar Bhawan, 20, Ashoka Road, New Delhi, 110001.
2. The Chief General Manager, U.P. Telecom Circle (E), Lucknow (U.P.).

.....Respondents.

Counsel for the respondents :- Sri R.C. Joshi

O R D E R (Oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

By this orginal application under section 19 of the Administrative Tribunals Act, 1985, applicant has prayed for a direction to the respondents to promote him to the post of Junior Telecommunication Officer (J.T.O)with effect from the date from which Sri Rajendra Singh was promoted to the said post. He has also claimed consequential benefits.



2. The brief facts giving rise to this application are that applicant is presently working as Telephone Operator and he belongs to Scheduled Tribe (S.T) reserved category. He claims that he appeared in departmental competitive examination for promotion to the post of J.T.O which was held on 10 and 11.02.1996 in the office of Dy. General Manager (A) at Lucknow. The claim of the applicant is that on account of wrong calculation of the reserved category ^{for the ST class,} he was not selected. It is submitted by learned counsel for the applicant that there were total 56 posts of J.T.O. The SC and ST candidates are entitled for 20% reservation. The break up is 13% for SC and 7% for ST. It is submitted that ^{if} the posts calculated for ST category, it comes to 3.92, which as per rules should have been taken a round figure of 4 but the respondents without applying this rule, took the wrong view and said that only three posts are available to reserved category of ST and thus applicant was deprived of benefit. For this purpose, applicant made several representations. Before filing this O.A, applicant gave a legal notice on 23.05.2001. It appears that representations made by the applicant to respondent No.2 were not decided and they are still pending. We are of the opinion that ends of justice shall be better served if respondent No.2, Chief General Manager, U.P. Telecom Circle (E), Lucknow is directed to decide the representation of the applicant by a reasoned order within specified period. The O.A is accordingly disposed of finally with the direction to Chief General Manager, U.P. Telecom Circle (E), Lucknow (respondent No.2) to consider the representation



.....Contd.3

::3::

of the applicant and pass a reasoned order within a period of three months from the date a copy of this order is filed. To avoid delay, it shall be open to the applicant to file a fresh copy of representation alongwith copy of this order.

3. There will be no order as to costs.

B. Chatterjee

Member - A.

L
Vice-Chairman. *f*

Dt. 30.10.2001

/Anand/