

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 17th Day of August, 2000.

Coram: Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. S. Dayal, A.M.

Original Application No. 966 of 1992.

Radha Charan Sharma
aged about 51 years
son of Late Shri Tara Chand Sharma,
R/O 3/I-A-II, Vikram Colony,
Ramghat Road, Aligarh (U.P.)
presently posted as Section Supervisor
(Operative) at Office of the Telecom
Distt. Engineer, Aligarh.

. . . Petitioner.

Counsel for the Petitioner: Sri A.B.L. Srivastava, Adv.

Versus

1. Union of India through Secretary,
Ministry of Tele Communication,
New Delhi.
2. Telecom Distt. Engineer,
Aligarh.
3. Chief General Manager, Telecommunication,
U.P. Circle, Lucknow.

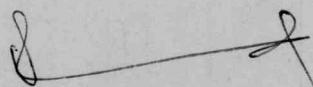
. . . Respondents.

Counsel for the respondents: Sri R.C. Joshi, Adv. for 1 & 3
Sri D.S. Shukla for res. No. 2

Order (Open Court)

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

We have heard Sri A.B.L. Srivastava and Sri A.N.



Shukla holding brief of Sri R.C. Joshi for the respondents 1 and 3 and Sri Devi Shankar Shukla for respondent No.2.

2. This application has been filed seeking various reliefs introduced by amendment ^{and} allowed by this Tribunal vide order dated 13.8.98.

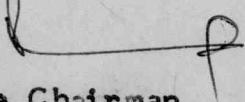
3. The learned counsel for the applicant has submitted that applicant has been granted all reliefs by orders dated 29.4.97 and the dispute is confined only to Banial Cadre Review (B.C.R.) The learned counsel for the applicant has placed before us the report of departmental promotion committee which has been filed as Annexure-1 to the Misc. Application No. 1934/1998. In this report the D.P.C. recommended that the joining in the Telecom department should be counted with effect from 4.3.64 and B.C.R. will due on 24.10.1998. The learned counsel for the applicant has also invited our attention to the order dated 1.12.99 passed by respondent by which orders dated 29.4.97 have been revised to the dis-advantage of the applicant. In our opinion the order dated 1.12.99 gives absolutely a new cause of action to the applicant on which basis he can file another O.A. for challenging the order dated 1.12.99. So far as this O.A. is concerned, the applicant has been granted reliefs by the department except in respect of B.C.R. which is not to the satisfaction of the applicant and is not in consonance with the recommendation of the D.P.C. ~~for~~ Both matters, he

may ~~raise~~ ^{raise in} fresh O.A.

4. The application is accordingly disposed of finally with the liberty to the applicant to file a fresh application for his remaining grievances mentioned above.

There shall be no order as to costs.


Member (A.)


Vice Chairman

Nafees.