

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH: JODHPUR.

O.A. No. 297/97

Date of Order: 19.5.1998

Parmeshwar Lal Sharma s/o Shri Renwat Ram at present working as Telephone Operator A. (P), S.D.E. (G.E.I), Ratangarh, District Churu.

... Applicant

VERSUS

1. The Union of India through Secretary, Ministry of Telecom, Department of Telecom, Sanchar Bhawan, New Delhi.
2. The General Manager, Telecom Department, Jaipur.
3. Telecom District Engineer, Churu.

... Respondents

Mr. Ravi Bhansali, Counsel for the applicant.

Mr. K.S. Nahar, Counsel for the respondents.

CORAM

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

O R D E R

Per Hon'ble Mr. Gopal Krishna

Applicant, Parmeshwar Lal Sharma, has merely prayed now for a direction to the respondents to allow him to join the induction course (basic training) for the post of Junior Accounts Officer and on completion of training, he may be promoted to the said post from the date his juniors have been promoted.

2. The case of the applicant is that while working as Telephone Operator at Sri Dungargarh, he was served with a charge sheet for major penalty dated 10.11.1994. During the pendency of the enquiry on the

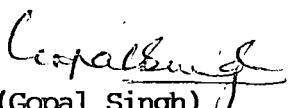
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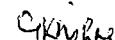
said charges framed against him, the applicant appeared in an examination conducted for the post of Junior Accounts Officer. He was declared successful in the examination. Names of persons who had cleared the examination were arranged in the order of merit and applicant figured at Sl. No. 4. However, the applicant was not sent for the training course for the reason that a disciplinary enquiry against him was pending and it could not be finalised by that time. The applicant was denied promotion to the post of Junior Accounts Officer due to the pendency of disciplinary proceedings against him. It is stated by the respondents that if the enquiry held goes in favour of the applicant, he shall be sent for the requisite training and thereafter he shall be entitled to all benefits.

3. We have heard the learned counsel for the parties and have perused the records. The counsel for the parties have agreed to this matter being disposed of at the admission stage.

4. The learned counsel for the respondents has produced a letter dated 18.5.1998 addressed to the AGM II, Office of the CGMT, Jaipur which indicates that the applicant was not deputed for training for the post of Junior Accounts Officer due to the pendency of disciplinary case against him. The learned counsel for the respondents has stated that the disciplinary proceedings are over and the applicant has been exonerated of all the charges against him. Now vide the communication dated 18.5.1998 referred to above, a letter has been written to the General Manager, Telecommunication, Jabalpur for arranging training to the applicant. A separate order by the competent authority shall be issued regarding officiating promotion to the applicant to the post of Junior Accounts Officer on adhoc basis for 180 days. This action is under process.

5. Since the grievance of the applicant stands redressed and consideration of his promotion on adhoc basis to the post of Junior Accounts Officer is under process, the present application stands disposed of accordingly with no order as to costs.

  
(Gopal Singh)  
Administrative Member

  
(Gopal Krishna)  
Vice Chairman

83/818  
P.S.

Copy of order  
Sent to Sh. P. B. Bansal; P.D.  
by Regd. P.D.

Vehicle 219  
Date 03-6-98

1/6/98

Part II and III destroyed  
in my presence on 17.3.2003  
under the supervision of  
Section Officer (j) as per  
order dated 31.12.2003

SD  
Section Officer (Record)

P.D. attached  
in a third  
set