

Reserved on 25.7.2016

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH JODHPUR

Dated: This the 20th day of July 2016

CORAM

HON'BLE DR. MURTAZA ALI, MEMBER – J
HON'BLE MS. PRAVEEN MAHAJAN, MEMBER – A

Original Application No. 165 of 2016.

1. Chet Ram Sharma S/o Late Shri Ramchander Sharma, aged about 48 years, presently working as Telecom Technical Assistant, BSNL Exchange Building Ward No.3, Pilibanga, resident of VPO Ramsara Narayan, Tehsil and District Hanumangarh.
2. Hanuman Singh Rathore, S/o Shri Radhey Shyam Singh Rathore, aged about 45 years, presently working as Telecom Technical Assistant, under SDO Telegraph, Main Exchange Building, Court Chowraha, Udaipur resident of 25, Peacock Hills Tatardi, Girwa, Shastri Circle, Udaipur.

... Applicants

By Adv: Shri R.K. Soni

VERSUS

1. Bharat Sanchar Nigam Limited through its Chairman cum Managing Director, Janpath, New Delhi.
2. Assistant General Manager (Estt. IV), BSNL Janpath, New Delhi.
3. Union of India through the Secretary DOT, New Delhi.
4. The All India BSNL Executive Association through its Secretary, Shri Prahalad Rai, registered office of Flat No. CH. 17-2-15, 1st Floor, Chemmery Staff Quarters, Atul Grove Road, New Delhi 110 001.
5. BSNL Officers Association CHQ T-15, Atul Grove Road, New Delhi 110 001, through its General Secretary Shri N. Kabir Dass S/o Late Shri N. Narayana, aged 57 years, presently posted as JTO, at office of SDE (External), Malakpet, Charminar,

... Respondents

By Adv. Shri Rajesh Shah (Respondent No.1)
Shri Aditya Singh (Respondent No.2)
Shri K.S Yadav (respondent No.3)
Shri Kuldeep Mathur (Respondent No.4)
Shri M.S. Godara (Respondent No.5)

ORDER

BY HON'BLE DR. MURTAZA ALI, MEMBER – J

The applicants have filed this O.A. for quashing the order dated 15.10.2015 (Annexure A-1) and for their promotion on the post of JTO.

2. At the outset, it has been submitted on behalf of respondents that the applicants have already been promoted and on successful completion of four weeks field training, they have also joined on their promotional posts. It has further been contended that the O.A has become infructuous.

3. Learned counsel for the applicants raised some apprehensions in respect of order of promotion and also the competency of officer who has issued their promotional orders. On the direction of Tribunal, an additional affidavit has been filed on behalf of respondents on 26.7.2016.

4. In the additional affidavit filed on behalf of respondents, it has categorically been stated that the applicants have been promoted for the year 2012-2013 and they have already joined on their promotional posts. The respondents have also placed the copies of Order dated 29.6.2016 and 15.7.2016 in respect of promotion and

Authority. It has further been submitted that the relief claimed by the applicants for promotion as JTO has already been granted to them and thus the O.A. has become infructuous.

5. Learned counsel for the Interveners also submitted that they have no objection, if the O.A. is disposed of as the applicants have already been granted the relief sought by them.

6. Considering the above facts and circumstances, we are of the view that the main relief sought by the applicants has already been granted by the respondents and the applicants have also joined on their promotional post after successful completion of their trainings. Thus, the O.A. is liable to be disposed of on the above terms.

7. Accordingly, OA is disposed of on the terms stated above. There is no order as to costs.

Praveen Mahajan
PRAVEEN MAHAJAN

MEMBER – A

Manish/-

Murtaza Ali
DR. MURTAZA ALI

MEMBER – J