

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

Dated, the 7th October, 1993

CORAM

THE HON'BLE MR N DHARMADAN, JUDICIAL MEMBER  
&  
THE HON'BLE MR S KASIPANDIAN, ADMINISTRATIVE MEMBER

O.A.No.420/93

1. TN Subhalakshmi
2. KB Manoj
3. KM Devi
4. KN Padmam
5. Bindu K Shenoy
6. Suresh Babu KK
7. Sreepriya V
8. Geetha GP
9. Sijimol MA
10. Swapna CS
11. Sandhya K
12. Sujith T

- Applicants

M/s MR Rajendran Nair & PV Asha

- Advocates for the  
applicants

v.

1. Union of India, represented by  
Secretary to Government of India,  
Department of Telecommunications,  
New Delhi.

2. Senior Superintendent of Telegraph  
Traffic, Ernakulam.

3. Chief General Manager,  
Telecommunications,  
Kerala Circle, Trivandrum.

- Respondents

Mr M Mohammed Navaz, ACGSC

- Advocate for the  
respondents

JUDGEMENT

N DHARMADAN, JUDICIAL MEMBER

In the light of the clear admission made by the  
respondents in the reply statement, the only question  
now survives is the seniority and consequential benefits  
to be given to the applicants, on account of their absorption,

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as Telegraphists, who have appeared for the examination along with applicants in the year 1990 and obtained lesser marks.

2. The applicants have jointly filed this application under Section 19 of the Administrative Tribunals Act for a declaration that they are entitled to be trained for appointment as Telegraphists against 1990 vacancies notified as per Annexure-I. They were included in the select list Annexure-II prepared by the Senior Superintendent of Telegraph Traffic, Ernakulam. There were twenty four vacancies notified for Ernakulam Division while eight vacancies at Trivandrum and Calicut Divisions respectively were also notified. The applicants who appeared for the Departmental Test from Ernakulam Division secured more marks than the candidates who appeared in other Divisions of Trivandrum and Calicut. Though the persons who were successful in the examination held in Trivandrum were deputed for training, appointed after completion of the training, the applicants were not deputed for training. It is at that stage they have filed this application.

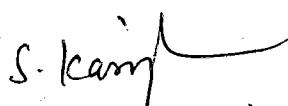
3. In the reply, respondents have admitted that the applicants were also deputed for training from August 1993~~and~~4 after completion of the training, they will be appointed in the existing vacancies at Ernakulam. Since their main grievance has been satisfied on the basis of the subsequent decision of the Chief General Manager, Telecommunication,

Trivandrum, the only remaining issue to be considered is, whether the applicants are entitled to notional appointment earlier to the appointment of candidates who passed in the departmental examination from Calicut and Trivandrum Divisions. On the facts and circumstances of the case, this question deserves consideration by the third respondent.

4. Accordingly, we dispose of the application with a direction that the third respondent may consider the present grievance of the applicants for getting notional seniority vis-a-vis those candidates who have been successfully completed training and appointed in the Calicut and Trivandrum Divisions as indicated above.

5. The O.A. is disposed of as above. No costs.

Dated, the 7th October, 1993.

  
(S. KASIPANDIAN)  
ADMINISTRATIVE MEMBER

  
7.10.93  
(N. DHARMADAN)  
JUDICIAL MEMBER

trs

List of Annexures

1. Annexure-I : True copy of the notification dated 13.1.1991
2. Annexure-II : True copy of the list of candidates No. Recttp.38-2/29 dated 3.1.1991 issued by the second respondent.