

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 490 of 1992.

DATE OF DECISION 1-2-1993

S. Sakunthala Applicant (s)

Mr. S. Sankarasubban Advocate for the Applicant (s)

Versus

The Chairman, Telecommunication Commission, New Delhi and another Respondent (s)

Mr. George Joseph, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S.P. Mukerji, Vice Chairman  
and

The Hon'ble Mr. A.V. Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? *m*
3. Whether their Lordships wish to see the fair copy of the Judgement? *m*
4. To be circulated to all Benches of the Tribunal? *m*

## JUDGEMENT

(Hon'ble Shri A.V. Haridasan, Judicial Member)

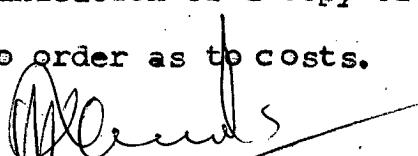
The applicant has filed this application under Section 19 of the Administrative Tribunals Act for the following reliefs:-

- (i) To quash Annexure-A-3 order passed by the 1st respondent.
- (ii) To declare that petitioner is entitled to promotion as an Asstt. Engineer as soon as she passed her qualifying exam in 1980.
- (iii) to refix-the seniority of the petitioner in the cadre of Asstt. Engineers.
- (iv) such other orders as are incidental and appropriate.

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2. In the reply statement filed by the respondents they have conceded that decision has already been taken to revise the seniority of TES Group B officers in accordance with para 206 of P&T Manual Vol.IV based on the judgment of the Hon'ble High Court of Allahabad and as per the decisions of various Benches of the C.A.T. against the Original Applications filed by TES Group B officers. It has been stated that action would be taken to revise the seniority in accordance with the above decisions and that the O.A. may be closed.

3. Since the respondents have agreed to extend the benefit of the judgment of the Allahabad High Court and various Benches of the Tribunal in regard to the claims made in this application, the application is only to be allowed. Therefore, we allow the O.A., quash the impugned order at Annexure A.3, declare that the applicant is entitled to be promoted as Assistant Engineer (TES Group 'B') with effect from the date on which any officer who has passed the qualifying examination subsequent to her passing the same <sup>was</sup> promoted, direct the respondents to refix the applicant's seniority in the cadre of Assistant Engineer and to grant her all consequential and attendant benefits, within a period of three months from the date of communication of a copy of this judgment. There will be no order as to costs.

  
O (AV Haridasan)  
Judicial Member

  
(S.P. Mukerji)  
Vice Chairman

1-2-93.

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