

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.528/2002.

Friday this the 26th day of July 2002.

CORAM:

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

N.M.Abdul Kareem, TTA,
O/o Sub Divisional Engineer, Phones,
Vytilla. Applicant

(By Advocate Shri M.R.Rajendran Nair)

vs.

1. Union of India represented by the Secretary to Government of India, Ministry of Communications, New Delhi.
2. The Chief General Manager, Telecommunications, Bharat Sanchar Nigam Limited, Kerala Circle, Trivandrum.
3. Principal General Manager, BSNL, Telecom District, Ernakulam. Respondents

(By Advocate Shri C.Rajendran, SCGSC)

The application having been heard on 26th July, 2002 the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant who is in the feeder grade for promotion as J.T.O. participated in a qualifying examination which was held on 29.1.1995 but was not declared successful. Persons similarly situated who failed in the same examination were granted seven marks as grace mark and were declared as passed by Annexure A4 order pursuant to the judgement of this Tribunal in O.A.552/99. The applicant made A-1 representation to the second respondent seeking the same benefit of grace mark. Finding that persons who have been declared successful on award of grace marks are being deputed for training, the applicant has filed this application for a declaration that he is entitled to be granted grace marks

as has been granted as per Annexure A-4 and for a direction to the respondents to grant the same benefit.

2. When the application came up for hearing, Senior Central Government Standing Counsel took notice on behalf of the respondents. Counsel on either side agree that the application may be disposed of directing the second respondent to consider Annexure A-1 representation made by the applicant and if he is found similarly situated as the persons whose names are shown in Annexure A-4, who were applicants in O.A. 552/99, to extend to the applicant also the same benefit issuing an appropriate order within a reasonable time.

3. In the light of the submission of the learned counsel on either side, the application is disposed of with a direction to the second respondent to consider Annexure A-1 representation made by the applicant and if he is found similarly situated as the persons whose names shown in Annexure A-4, who were applicants in O.A. 552/99, respondents shall extend to the applicant also the same benefit issuing an appropriate order within a period of one month from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 26th July, 2002.


T.N.T.NAYAR
ADMINISTRATIVE MEMBER


A.V.HARIDASAN
VICE CHAIRMAN

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A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the representation dated 4.6.2002 submitted by the applicant before the 2nd respondent.
2. A-2: True copy of the order No.ST/EK-261/34 dated 25.7.1994, issued by the 3rd respondent.
3. A-3: True copy of the letter No.Rectt./30-6/93 dated 27.9.96 issued by the 2nd respondent.
4. A-4: True copy of the memo No.Rectt./30-6/2002/review dated 17.5.2002 issued by the 2nd respondent.

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