

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Date of decision: 23-8-1993

Original Application No.578 of 1992

1. P Santha
2. P Sethu

- Applicants

Mr MR Rajendran Nair

- Counsel for the
applicants

v.

1. Union of India, represented
by Secretary to Government,
Ministry of Communications,
New Delhi.

2. The Chief General Manager,
Telecom, Kerala Circle,
Trivandrum.

- Respondents

Mr PA Mohamed, ACGSC

- Counsel for the
respondents

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

&

HON'BLE MR R RANGARAJAN, ADMINISTRATIVE MEMBER

JUDGEMENT

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicants complain that benefits due to them on revision of seniority, have not been granted because of certain events, that transpired prior to such revision.

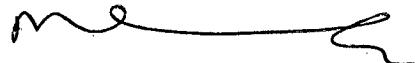
2. Applicants were appointed in the Lower Selection Grade on 24.12.1970 and 17.12.1971, in that order.

Thereafter, seniority was revised by Annexure-I dated 23.11.1990, treating the date of appointment of applicants in the Lower Selection Grade as 25.7.1970 in both cases.

Later, they earned further promotions. But prior to the

revision of seniority, applicants declined promotions granted to them to the Higher Selection Grade. Even so, when seniority itself was radically revised, consequential affairs also must be ordained accordingly. We are not expressing any opinion as to how it should be done, and how the refusal of promotion will interact on seniority. But in accordance with the rule, the claim of the applicants must be considered, as that of others were considered in Annexure-III. Applicants may make suitable representations, supplementing Annexure-VI and VII and appropriate orders will be passed on such representations, by the competent authority within four months of the date of receipt of such representations, after hearing any official who may be affected by the exercise. With these directions, the application is disposed of. No costs.

Dated, the 23rd of August 1993.


R RANGARAJAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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List of Annexures

1. Annexure-I : True copy of the Memo No. ST/7-18/ Pre-59/65 dated 23.11.1990 issued by the second respondent.
2. Annexure-III : True copy of the Memo No. ST8/7-18/ Pre-59 dated 18.3.1991 issued by the second respondent.
3. Annexure-VI : True copy of the representation dated 16.5.1991 of the first applicant.
4. Annexure-VII : True copy of the representation dated 9.4.1992 of the second respondent.