

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.7/99

Friday this the 8th day of June, 2001.

CORAM

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

M.Sethu Madhavan
S/o Krishnan Nair
Sub Divisional Engineer
Office of the General Manager
Transmission Project
Chittoor Road, Cochin.
Residing at House No.24, Maithri Nagar
Vaduthala, Cochin.

...Applicant

By advocate Mr.P.V.Surendra Nath

Versus

1. Union of India, represented by Secretary to Government of India, Ministry of Communications New Delhi.
2. Secretary to Government of India
Ministry of Personal Grievances
Department of Personnel & Training
New Delhi.
3. The Chief General Manager, Telecom Kerala Circle, Trivandrum.

...Respondents.

By advocate Mr.Govind K.Bharathan, SCGSC

The application having been heard on 8th June, 2001, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER

The applicant seeks the following reliefs:

- i. To declare that the eligibility list for promotion to the Telecom Engineering Service Groups is to be prepared on the basis of year of recruitment/appointment of Junior Telecom Officers and to direct the respondents to review and regulate Telecom Engineering Service Group-B promotions made till date on the basis of year of recruitment of Junior Telecom Officers in view of Supreme Court decision reported in 1997 SCC L&S 1279.
- ii. To direct the respondents to consider the applicant for promotion to Telecom Engineering Service Group-B reckoning his eligibility from the date of his recruitment/appointment as Junior Telecom Officer and to promote him as Telecom Engineering Service Group-B with effect from the date of promotion of his immediate junior and to grant all benefits accordingly including arrears of salary and seniority in the cadre of Sub Divisional Engineer.



iii. Grant such other relief as may be prayed for and the Tribunal may deem fit to grant, and,

iv. Grant the costs of this Original Application.

2. When the OA was taken up, the learned counsel appearing for the applicant submitted that the matter has been now concluded by the ruling in Union of India Vs. Madras Telephone S.C. & S.T., Social Welfare Association JT 2000 (6) SC 471, that in the light of the said ruling the Department has drawn up fresh seniority list, that the applicant has submitted his objections to the said seniority list and that the OA can be closed without prejudice to the objections filed by the applicant to the seniority list published by the Department. The learned counsel appearing for the respondents submitted that there is no objection in adopting such a course.


3. Accordingly the OA is closed without prejudice to the objections raised by the applicant to the seniority list prepared by the Department in pursuance of the said ruling.

Dated 8th June, 2001.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.



A.M. SIVADAS
JUDICIAL MEMBER