

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.86/02

Friday this the 17th day of October 2003

C O R A M :

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

V.Ibrayi
S/o.Ammed,
Senior Telegraph Master,
Telecherry.

Applicant

(By Advocate Mr.M.R.Rajendran Nair)

Versus

1. The Chief General Manager,
Telecommunication, BSNL,
Kerala Circle,
Trivandrum.
2. The General Manager,
Telecom, BSNL, Kannur.
3. Union of India, represented by
the Secretary to the Government
of India, Ministry of Communications,
New Delhi.

Respondents

(By Advocate Mr.C.Rajendran,SCGSC)

This application having been heard on 17th October 2003
the Tribunal on the same day delivered the following :

O R D E R

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

The applicant who was a Senior Telegraph Master filed this application challenging his reversion to Grade III from Grade IV with effect from 1.1.2000 made by Annexure A-1 order, for a declaration that he is entitled to continue in Grade IV by virtue of his seniority and for a direction to the respondents to promote the applicant in Grade IV quashing Annexure A-1 order. Although the application is resisted by the respondents by filing a detailed reply statement, the respondents have produced an order dated 8.10.02 marked as M.A.1 (1) along with M.A.670/03. As stated in the Miscellaneous Application that in view of the

issue of M.A.1 order the grievance of the applicant stands redressed. The learned counsel for the applicant states that since the basic order which led to the issue of the impugned order had since been cancelled the application may be disposed of directing the respondents to give the applicant consequential benefits as if the A-1 order has never taken effect. Taking note that the applicant was never reverted to Grade III and since the applicant ~~was~~ ^{has} already retired from service, we direct the respondents to give consequential benefits to the applicant on the basis of M.A.1 order till the date of his superannuation. The above direction shall be complied with within three months from the date of receipt of a copy of this order. No order as to costs.

(Dated the 17th day of October 2003)


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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