

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 98/2002

Monday, this the 4th day of February, 2002.

CORAM :

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

S. Krishnakumar, aged 42 years,
S/o Sankaran Nair,
Telecom Technical Assistant/Installation Wing,
Thiruvalla, residing at Chalackappalli Thundiyl,
Peringara, Thiruvalla. ... Applicant

(By Advocate Mr. T.C. Govindaswamy)

Vs

1. Union of India rep. by the
Secretary to the Government of India,
Ministry of Communications,
Department of Telecommunications,
New Delhi.
2. The Director General(Telecommunications),
Bharat Sanchar Nigam Ltd.,
New Delhi.
3. The Chief General Manager, Telecommunications,
Bharat Sanchar Nigam Ltd.,
Trivandurm.
4. The General Manager(Telecommunications),
Bharat Sanchar Nigam Ltd.,
Thiruvalla.
5. O.I. Philip,
Telecom Technical Assistant,
Pathanamthitta Secondary Switching Area,
Bharat Sanchar Nigam Ltd.,
Thiruvalla. ... Respondents

(By Shri C. Rajendran, SCGSC)

The application having heard on 4.2.2002, the Tribunal
on the same day delivered the following :

ORDER

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

The applicant, Telecom Technical Assistant in the
Installation Wing of the Pathanamthitta Secondary Switching
Area, is aggrieved that the 5th respondent, who is junior to
him in the entry cadre of Technician, but having been screened
earlier, is being sent for training and to be eventually

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appointed as Junior Telecom Officer(J.T.O.) ahead of the applicant. He has therefore made a representation A4 on 28.11.2002 coming to know that the 5th respondent was being sent for training. The representation has not been answered. Therefore, the applicant has filed this application for the following reliefs :-

(a) Call for records leading to the issue of the orders sending the 5th respondent for training for promotion to the post of Junior Telecom Officer in preference to the applicant and quash the same;

(b) Declare that the applicant is entitled to be sent for training for promotion to the post of Junior Telecom Officer and to be considered for consequential promotion in preference to the 5th respondent or atleast on par with him and direct the respondents to grant the consequential benefits of the said declaration forthwith;


(c) Award costs of and incidental to this applicants;

(d) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

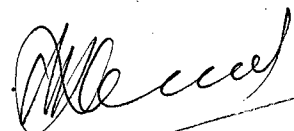
2. When the application came up for hearing, Shri C. Rajendran took notice for respondents 1 to 4. The counsel on either side agreed that the application may be disposed of giving direction to the 4th respondent to consider the representation of the applicant(A4) and to give an appropriate reply within a reasonable time.

3. In the light of the above submission made by the counsel on either side, the application is disposed of directing the 4th respondent to consider the representation of the applicant(A4); and to give an appropriate reply within a period of two months from the date of receipt of a copy of this order. No costs.

Dated the 4th February, 2002.



T.N.T. NAYAR,
ADMINISTRATIVE MEMBER



A.V. HARIDASAN,
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the representation dated 18.11.1997 submitted by the applicant to the 4th respondent.
2. A-2 : True copy of the Memo bearing No.G220/TLA/44 dated 17.4.98 issued from the office of the 4th respondent.
3. A-3 : True copy of list of Qualified Officials for Junior Telecom Officer Screening Test - 2000 (Kerala Telecom Circle) published from the office of the 3rd respondent.
4. A-4 : True copy of the representation dated 28.11.2001 submitted by the applicant to the 4th respondent.

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