

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No. 18 of 1996

Monday this the 22nd day of January, 1996

CORAM

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN  
HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. G.P. Rajendran,  
Lower Division Clerk (Telecom Assistant)  
Office of the Chief General Manager, Telecom,  
Kerala Circle, Thiruvananthapuram-33.
2. B. Sukumaran Nair,  
Section Supervisor (Operative)  
Office of the Chief General Manager,  
Telecom, Kerala Circle, Thiruvananthapuram-33.

.... Applicants

(By Advocate Mrs. Pearly Mathew)

Vs.

1. The Chief General Manager, Telecom,  
Kerala Telecom Circle,  
Thiruvananthapuram-33.
2. The Chairman,  
Telecom Commission/Director General,  
Telecom Department, New Delhi.1.
3. Union of India represented by its  
Secretary, Ministry of Communications,  
New Delhi.

... Respondents.

(By Advocate Mr. S. Radhakrishnan)

The application having been heard on 22.1.1996, the  
Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicants seek a declaration that holding  
an examination in Part-II only for certain candidates  
is illegal. According to them they have written the  
Part-I Examination and the results are awaited.  
Part-II Examination is scheduled to take place in

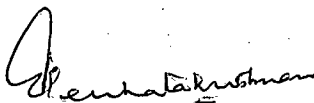
....2

March, 1996. The results of Part-I Examination have not been published and without a pass in Part-I a candidate cannot appear in Part-II Examination, submits counsel. However, those of a different batch are permitted to take the Part-II Examination. This is discriminatory, submit applicants.

2. We granted time to respondents to make their submissions and Standing Counsel submits that he has not received any instructions in the matter. At the same time we do not want to make a declaration in the state of pleadings now available. We therefore direct second respondent to consider A3 and A4 representations and pass a speaking order thereon within one month from today and communicate the same to applicants.

3. Original Application is disposed of as aforesaid. No costs.

Dated 22nd day of January, 1996.

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

LIST OF ANNEXURES

1. Annexure A3: True copy of the representation dated 29.12.1995 submitted by the 1st applicant before the 2nd respondent.
2. Annexure A4: True copy of the representation dated 29.12.1995 submitted by the 2nd applicant before the 2nd respondent.

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