

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.21/2002

Wednesday this the 16th day of January, 2002

CORAM

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

1. V.M.Gopinathan S/o Kanna Poduval,
Sub Divisional Engineer (Computer)
Office of the Chief General Manager
(Telecom), PMG Junction,
Trivandrum.33.
2. M.L.Harikumar, S/o K.S.Madhavan Pillai,
Sub Divisional Engineer,
Regional Telecom Training Centre,
Trivandrum.40.
3. R.Rajasekhara Warrier,
S/o S.Rama Warrier,
Sub Divisional Engineer (Training)
Regional Telecom Training Centre,
Trivandrum.39.

...Applicants

(By Advocate Mr. T.C.Govindaswamy)

v.

1. Union of India represented by
the Secretary to Govt. of India,
Ministry of Communications,
Department of Telecommunications,
New Delhi.
2. The Director General,
Telecommunications,
Bharat Sanchar Nigam Limited,
New Delhi.
3. The Chief General Manager,
Telecom,
Bharat Sanchar Nigam Limited,
Thiruvananthapuram.

...Respondents

(By Advocate Mr.K.R.Rajkumar, ACGSC)

The application having been heard on 16.1.2002, the Tribunal on the same day delivered the following:

O R D E R

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

Applicants who are Sub Divisional Engineers presently working under the third respondent have made representations A9 to All to the second respondent requesting that in the supplementary examination to be

Contd....

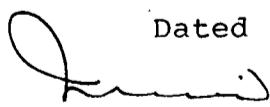
.2.

held in terms of the directions contained in the orders of the Tribunal in OA 91/99 they may also be permitted to appear giving them the benefit of the said judgement. These representations have not been considered and disposed of. Apprehending prejudice in case the examinations are held without permitting the applicants to appear, the applicants have filed this application for a declaration that they are entitled to be considered for promotion to TES Group B cadre against vacancies which existed during 1992 to 1996 and for a direction to the respondents to consider the applicants in the Departmental Qualifying-cum-Competitive Examination to be conducted in terms of Annexure.A8 judgment and to grant them the consequential benefits.

2. When the application came up for hearing, Shri K.R.Rajkumar, Addl.Central Govt.Standing Counsel took notice for the respondents. Counsel on either side agree that the application may be disposed of directing the second respondent to consider the representations A9 to All made by the applicants and to give them appropriate replies within a reasonable time.

3. In the result, in the light of the submission of the learned counsel on either side, the application is disposed of directing the second respondent to consider the Annexure.A9 to All representations of the applicants and to give them appropriate replies within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 16th day of January, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER

(s)


A.V. HARIDASAN
VICE CHAIRMAN

APPENDIX

Applicants' Annexures:

1. A-1 : True copy of the Telegraph Engineering Service Group B Recruitment Rules, 1981.
2. A-2 : True copy of the Telecommunication Engineering Service (Group B) Recruitment (Amendment) 1987 published on 28.3.1987.
3. A-3 : True copy of the Hall Ticket issued in favour of the 2nd applicant.
4. A-4 : True copy of the order of this Hon'ble Tribunal in O.A 1501/94 dated 24th February, 1995.
5. A-5 : True copy of the judgement in C.A No.8890/96 of the Hon'ble Supreme Court.
6. A-6 : True copy of the O.A.No.1497/96 and connected cases of this Hon'ble Tribunal by order dated 1st May, 1998.
7. A-7 : True copy of the Notification bearing No.5-7/98-DE dated 6th November, 1998 issued by the respondent.
8. A-8 : True copy of the judgement in O.A No.91/99 dated 27th April, 2001.
9. A-9 : True copy of the representation dated 10.5.2001 submitted by the 1st applicant to the 1st respondent.
10. A-10: True copy of the representation dated 14.5.2001 submitted by the 2nd applicant to the 1st respondent.
11. A-11: True copy of the representation dated 16.5.2001 submitted by the 3rd applicant to the 1st respondent.
12. A-12: True copy of the letter bearing No.15-11/99-STG-II dated 29-1-2001 issued from the office of the 1st respondent.

npp
17-1-02