

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 238/2002

Friday, this the 13th day of June, 2002.

CORAM;

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

1. K.N.M.Nair,
Junior Telecom Officer,
BSNL, Odakkali.
2. K.P.Rajan,
Sub Divisional Engineer(Officiating),
Microwave Station, BSNL,
Mavelikkara.
3. V.P.Gopalakrishnan,
Junior Telecom Offocer/External,
BSNL, Muvattupuzha. - Applicants

By Advocate Mr TC Govindaswamy

Vs

1. Union of India represented by
the Secretary to Government of India,
Ministry of Communications,
Department of Telecommunications,
New Delhi.
2. The Director General(Telecom),
BSNL, New Delhi.
3. The Chief General Manager(Telecom),
Kerala Circle, BSNL,
Thiruvananthapuram.
4. The Director(Staff),
Department of Telecommunication,
Sanchar Bhavan,
New Delhi.
5. P.N.Balachandran,
Sub Divisional Engineer(Microwave),
BSNL, Peerumedu, Idukki District,
Kerala.

6. Mini Joseph, Sub Divisional Engineer,
BSNL, Kerala Circle.

7. Prabhakara Panicker -do-

8. Suseela George -do-

9. Jyothi Ganesan -do-

10. Lucy.V.V. -do-

11. Mohammed Basheer.R. -do-

12. Jayalekshmi.S. -do-

13. Muraleedharan.M. -do-

14. Babu Dominic -do-

15. Tina Theresa Thomas -do-

16. Jiny Francis.T. -do-

17. Remadevi.M. -do-

18. Reena Antony -do-

19. Bindu Muraleedharan -do- -Respondents

By Advocate Mr R.Madanan Pillai, ACGSC(R1-4)

The application having been heard on 13.6.2002 the Tribunal on the same day delivered the following:

O R D E R

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

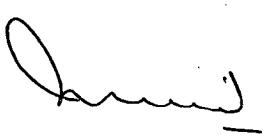
The applicants three in number, working as Junior Telecom Officers, are aggrieved by promotion of respondents 5 to 19, who are juniors to the applicants and for not granting them promotion on par with juniors. Therefore, the applicants have jointly filed this application for setting aside the orders under which respondents 5 to 19 were promoted to the extent it relates to them and for a declaration that the applicants are entitled to be considered for promotion in preference to respondents 5 to 19 to TES Group 'B' and for direction to the official respondents to grant the applicants consequential benefits.

2. When the application came up for admission, Shri R Madanan Pillai, ACGSC took notice on behalf of the respondents. Learned counsel on both sides agree that the application may be disposed of permitting the applicants to make a representation to the 1st respondent projecting their grievances in regard to supersession in the matter of promotion and claiming appropriate relief and directing the 1st respondent to dispose of the representation(s) if received, with a speaking order within a short time.

3. In the light of the above submission made by the learned counsel on either side, the application is disposed of permitting the applicants to make a representation within three weeks from today to the 1st respondent projecting their grievances in regard to supersession in the matter of promotion to TES Group 'B' and directing the 1st respondent that if such representation(s) is received from the applicants, the same shall be considered in the light of the rules and instructions on the subject and a speaking order be passed and communicated to the applicants within a period of one month from the date of receipt of such representation(s). The applicants may route the representation(s) through proper channel.

4. There is no order as to costs.

Dated, the 13th June, 2002.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARI DASAN
VICE CHAIRMAN

trs

A P P E N D I X

Applicant's Annexures:

1. A-1: A true copy of the TES Group 'B' Recruitment Rules, 1996.
2. A-2: A true copy of the order bearing No.5-1/94-TE-II dated 5.4.199, issued by the Asst. Director General (TE).
3. A-3: A true copy of the order bearing No.51-70/90-ALTP/ST/70 dated 8.3.91 issued from the office of the Chief General Manager.
4. A-4: A true copy of the representation dated Nil submitted by the 2nd applicant to the 3rd respondent.
5. A-5: A true copy of the representation dated 15.12.2001 submitted by the 2nd applicant to the 3rd respondent.
6. A-6: A true copy of the representation dated Nil 1.2002 submitted by the 3rd applicant to the 3rd respondent.

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14.6.02