

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.299/98

Thursday the 31st day of August, 2000.

CORAM

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

M. Sahadevan
S/o M.Kaliyappan
Sub Divisional Engineer (Phones)
Perinthalmanna
residing at Co-axial quarter,
Perinthalmanna.

...Applicant

By advocate Mr. M.R.Rajendran Nair

Versus

1. The Chairman
Telecom Commission
New Delhi.
2. The Chief General Manager
Telecom, Kerala Sub Division
Trivandrum.

...Respondents.

By advocate Mr. S.Radhakrishnan

The application having been heard on 31st August, 2000
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN

By the present Original Application, applicant claims
promotion to the post of Sub Divisional Engineer in the
Telegraph Engineering Services Group-B with effect from
3.6.94 that is the date when his juniors were promoted.
He also claims consequential benefits arising out of the
grant of the aforesaid promotion.

2. The case of the applicant we find similar to the case
of the applicant in the case of S.Rama Devi, wife of K.
Ramamurthy Versus The Chairman, Telecom Board, Sanchar
Bhavan, New Delhi & others in OA No.1239/95 decided by
this Tribunal on 24th October, 1997. As was the case of

the applicant in the aforesaid OA, applicant in the present Original Application claims to have passed the qualifying examination for the Group-B post in the year, 1988 and was included in the eligibility list. Thereafter others in the eligibility list who are juniors to the applicant have been promoted whereas the applicant has been denied the said promotion. No reasons have been indicated for not promoting the applicant along with his juniors in the eligibility list. The case of the applicant is practically on all force with the case of the applicant in the aforesaid OA No.1239/95. By the ~~aforesaid~~ order passed on 24th October, 1997, ~~the~~ said OA has been allowed and a declaration is given that the ~~applicant~~ ^{entitled} therein is ~~liable~~ to be promoted to Group-B post in the Telegraph Engineering Service on the basis of her seniority and eligibility. A direction was accordingly issued to the respondents to pass appropriate orders after considering the case of the applicant in the light of the above declaration for promotion with effect from 27th May, 1994 to Group-B post in the Telegraph Engineering Service. Applicant therein has also been held to be entitled to the consequential benefits.

3. Following the aforesaid order, applicant in the instant case is likewise entitled to be promoted with effect from 3rd June, 1994 the date when his juniors in the eligibility list were promoted.

4. We direct the respondents to pass appropriate orders promoting the applicant as stated herein above.



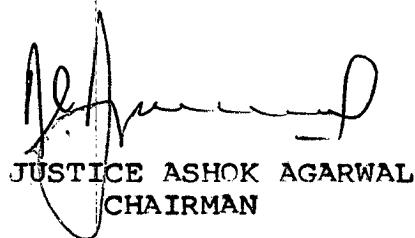
Respondents will also grant the consequential, benefits flowing from the aforesaid order of promotion. The aforesaid direction be complied with within a period of four months from the date of service of this order.

The present Original Application is accordingly allowed in the above stated terms, however with no order as to costs.

Dated 31st August, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



JUSTICE ASHOK AGARWAL
CHAIRMAN

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