

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.33/2000

Wednesday, this the 20th day of March, 2002.

CORAM

HON'BLE MR.G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

1. P.Raman Unni
S/o M.P.Galakrishnan Nair
Sub Divisional Engineer (Cable Planning)
Office of the General Manager
Telecom, Calicut.
2. P.K.George
S/o P.V.Korah
Sub Divisional Engineer (Cables)
Kalamassery.
3. V.L.Jose
Sub Divisional Engineer AXE
Telephone Exchange
Palarivattom,Ernakulam.
4. V.G.Sreedharan
S/o V.K.Govindan
Sub Divisional Engineer (External)
Muvattupuzha.
5. Radha Bhaskaran
W/o M.G.Bhaskaran
Sub Divisional Engineer E 10 B
D.TAX,Ernakulam.

...Applicants.

(By advocate Mr.Sasidharan Chempazhanthiyil)

Versus

1. Chief General Manager Telecom
Kerala Telecom Circle, Trivandrum.
2. Director General
Department of Telecommunications
New Delhi.
3. Union of India rep.by its Secretary
Ministry of Communications
New Delhi.

...Respondents

(By advocate Mr.K.Kesavankutty,ACGSC)

The application having been heard on 20th March, 2002, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Applicants, five in number, who are working as Sub Divisional Engineers under the respondents have filed this Original Application aggrieved by the seniority position assigned to them in A1 seniority list dated 16.10.97 issued by the second respondent. Through this OA, the applicants have sought the following reliefs:

- i. Call for the records and quash A1 in as much as the deemed date of promotion of the applicants were changed from 19.11.90 to 18.11.93 with consequential drops in seniority position.

or alternatively

Direct the 2nd respondent to restore the position enjoyed by the applicants in A-2 and revise A-1 accordingly.

- ii. Direct the 2nd respondent to consider and pass orders on A-3 series of representations.
- iii. Any other further relief or orders as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice.
- iv. Award the cost of these proceedings.

2. Applicants have advanced grounds in support of the reliefs sought for and the respondents filed reply statement resisting the claim of the applicants. Rejoinder, additional reply statement and additional rejoinder were also exchanged.

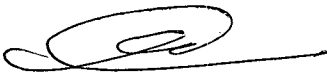
3. When the OA came up for hearing, after arguing the matter at length, learned counsel for the applicants submitted that the applicants would be satisfied if they are permitted to submit supplemental representations to A-3 series representations individually and the 2nd respondent is directed to consider the said representations within a specified time frame as this Tribunal may deem fit and proper. Learned counsel for the respondents submitted that there is no objection to adopt such a course of action.



4. We have considered the above submissions. As the issue involved in this OA is regarding the seniority of the applicants and the same has to be first considered by the respondents, we permit the applicants to submit individual supplemental representations to the second respondent in continuation of their respective A-3 series representations within a period of two weeks from today through proper channel. If such representations are received by the second respondent, he shall consider such representations and pass detailed orders on them within a period of three months from the date of receipt of such representations and communicate the same to the applicants.

5. The OA is disposed of as above with no order as to costs.

Dated 20th March, 2002.



K.V.SACHIDANANDAN
JUDICIAL MEMBER



G.RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.

A P P E N D I X

Applicants' Annexures:

1. A-1: True copy of the Seniority List No.XV of TES Group B in 1997 vide order No.16-15/95/STG.II dtd.16.10.97 issued by the 2nd respondent.
2. A-2: True copy of the Seniority List No.XIV vide No.16-17/92-STG.II dtd.9.2.93 issued by the 2nd respondent.
3. A-3: True copy of the representation dtd.23.9.1998 submitted by the 1st applicant to the 2nd respondent.
4. A-3(a): True copy of the representation dtd.16.2.1999 submitted by the 2nd applicant to the 2nd respondent.
5. A-3(b): True copy of the representation dtd.16.2.1999 submitted by the 3rd applicant to the 2nd respondent.
6. A-3(c): True copy of the representation dtd.2.2.1999 submitted by the 4th applicant to the 2nd respondent.
7. A-3(d): True copy of the representation dtd.22.2.1999 submitted by the 5th applicant to the 2nd respondent.
8. A-4: True copy of the ltr. No.STA/1-7/90-IV(Pt) dtd.11.3.91 issued by the 1st respondent.
9. A-5: True copy of letter No.SGZ-4102 (B)/8 dated 6.10.98.
10. A-6: True copy of letter NO.STA/1-7/93/II/Pt (i) dated 12.8.93.
11. A-7: True copy of letter No.STA/1-7/93/Genl. dated 24.5.1993 of the 1st respondent.
12. A-8: True copy of letter No.15-32/2000-STG-II dated 22.3.2001 (relevant portion) of the 2nd respondent.
13. A-9: True photocopy of letter No.STA/1-7/90-IV (Pt) dated 11.3.1991 of the 1st respondent.

Respondents' Annexures:

1. R-1(a): Copy of letter No.ST-III/1-31/VI dated 27.11.97.
2. R-1(b): Copy of D.O.T letter No.232-4/89-STG-II dated 16/19-11-90.
3. R-1(c): Copy of letter No.STA/1-7/90/IV (Pt) dated at TVM 10-5-1991.
4. R-1(d): Copy of D.O.T letter No.2-55/93-STG-II dt.18-11-98
5. R-1(e): True copy of memo No.232-4/90 STG-II dated 20.6.1991 of the Govt. of India, Telecom Commission, Sanchar Bhavan, New Delhi.
6. R-1(f): True copy of D.O.T No.16-1/2001-STG-II dt. July 5, 2001 issued by Department of Telecom, New Delhi.
7. R-1(g): True copy of DOT order No.16-1/2001-STG-II dt.29.1.2002 issued by Department of Telecom, New Delhi.

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