

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 351/96

Friday, the 23rd day of January, 1998.

HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR S.K. GHOSAL, ADMINISTRATIVE MEMBER

M. Rajan
Sub Divisional Engineer (Admn.)
Central Telegraph Office
Trivandrum. ...Applicant.

(By advocate Mr C.N. Radhakrishnan)

Versus

1. Union of India represented by Secretary, Ministry of Communications, Department of Telecommunications New Delhi - 110 001.
2. Director General of Telecommunications Sanchar Bhavan, New Delhi - 110 001.
3. Chief General Manager, Telecom Kerala Circle, Trivandrum - 695 031.
4. General Manager, Telecom District Trivandrum.
5. Shri K. Vikraman
Assistant General Manager (Establishment)
Office of the General Manager, Telecom Trivandrum.
6. Shri K. Krishna Pillai, Circle Secretary All India Telegraph Traffic Officers Association, Kerala Circle, Trivandrum working as Sub Divisional Engineer (Legal Cell)
Office of the Chief General Manager Telecom, Trivandrum - 33. ...Respondents.

(By advocate: Mr K. Ramakumar (R6)
Mr P.R. Ramachandra Menon (R 1-4)

The application having been heard on 23rd January, 1998, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER

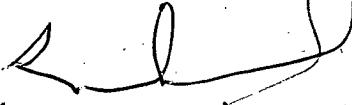
The applicant seeks ~~to declare that~~ the promotion of the fifth respondent, as contained in the Annexure A-6 promotion order, is illegal and set aside the same and consider his eligibility for promotion with effect from 8.6.1995, the date on which Annexure A-6 was issued, with consequential benefits.

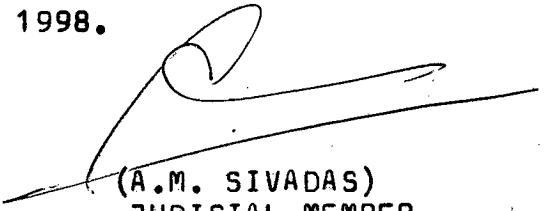
2. The matter was heard at length. The learned counsel appearing for all the parties submitted that the A-6 order dated 8.6.1995 can be set aside with effect from the date of expiry of the same i.e. 180 days from the date of its issue, and respondents 1 to 4 may be directed to consider the eligibility for promotion of the applicant and others who are similarly placed with reference to the rules in force, especially Annexure A-7, as on the expiry of the period of 180 days mentioned in the A-6 order, within a reasonable time.

3. Accordingly Annexure A-6 order dated 8.6.95 is set aside with effect from the date of expiry of the same i.e. 180 days from the date of its issue, and respondents 1 to 4 are directed to consider the eligibility for promotion of the applicant and other similarly placed persons, in accordance with rules in force, especially Annexure A-7, as on the date of expiry of the 180 days mentioned in Annexure A-6, within three months from today.

The OA is disposed of accordingly. No costs.

Dated the 23rd January, 1998.


(S.K. GHOSAL)
ADMINISTRATIVE MEMBER


(A.M. SIVADAS)
JUDICIAL MEMBER

aa.

LIST OF ANNEXURES

1. Annexure A-6 : Promotion order No. STA/1-5/95/Offg. dated 8-6-95 issued by the Asst. General Manager (Admn) Office of the Chief General Manager Telecom Trivandrum.
2. Annexure A-7 : Order No.5-1/94TE-II dt. 23-6-95 issued by Respondent No.1.

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