

Central Administrative Tribunal Lucknow Bench Lucknow

Contempt Petition No. 45/2010

In

O.A. No. 274/2009

This the 29TH day of May, 2012

Hon'ble Justice Sri Alok Kumar Singh, Member (J)
Hon'ble Sri S. P. Singh, Member (Administrative)

Ram Avadh, aged about 50 years, son of Late Shri Pati Ram, resident of A-215, Rajaji Puram, Lucknow.

Applicant

By Advocate Sri S. K. Verma.

Versus

1. Shri K.C.G.K.Pillai, General Manager (Finance), Now known as Principal General Manager (Finance Personal), SEA, Bharat Sanchar Nigam Limited, Corporate Office-SEA Section, 7th floor, Bharat Sanchar Bhawan, New Delhi.
2. Shri S. R. Kapoor, Director SEA, Now known as Executive Director (Finance), Corporate Office, B.S.N.L. 7th Floor, Harish Chandra Mathur Lane, Janpath, New Delhi.
3. Dr. Vinay Shahi, General Manager, Finance BSNL, office of C.G.M.T. UP (East) Laplace, Lucknow.
4. Smt. Geeta Rao, Executive Director (Finance) B.S. N L. corporate Office 7th Floor Harish Chandra Mathur Lane Janpath, New Delhi.

Respondents

By Advocate Sri Pankaj Awasthi for Sri A. K. Chaturvedi.

Order (Dictated in Open Court)

By Hon'ble Justice Sri Alok Kumar Singh, Member (J)

Heard and perused the record.

2. Vide order of this Tribunal dated 6th May, 2010 passed in O.A. No. 274/2009, the respondents were directed to revise the seniority list taking into account the promotion of the applicant to the rank of AO on 10.4.2004. The second part was to the effect that if after such revision, it is found that his juniors have been promoted on 27.3.2009, his case should be considered by a review DPC for promotion to the STS level from the date his juniors were promoted. The last direction was for giving all consequential benefits in case, the applicant is found fit and given such promotion w.e.f. 27.3.2009.

3. From the perusal of the affidavit and also after hearing the learned counsel for the other side, it transpires that in furtherance of the above order the compliance which has been made by giving notional

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ad-hoc promotion to the applicant w.e.f. 6.4.2009, the date from which the applicant's immediate junior was promoted to the grade on ad-hoc basis. It has been explained in para 16 of the supplementary counter affidavit filed on 26.3.2012 that the applicant cannot be assigned seniority in the Senior Time Scale of Telecom Finance in BSNL till the applicant is promoted in the Senior Time Scale of Telecom Finance on regular basis and even according to the applicant no junior to the applicant has been promoted on regular basis in the Senior Time Scale of Telecom Finance.

4. A hazy and vague reply of the above paragraph has been given in para 7 of supplementary rejoinder affidavit dated 8.4.2012 filed by the petitioner which have perused thoroughly.

5. In view of the above, we come to the conclusion that substantial compliance has been made. This contempt petition is therefore finally struck off in full and final satisfaction. Notices stand discharged.


(S. P. Singh)
Member (A)


(Justice Alok Kumar Singh)
Member (J)

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