

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE 26TH DAY OF MARCH, 1987

Present: Hon'ble Justice Shri K.S. Puttaswamy .. Vice-Chairman
Hon'ble Shri P. Srinivasan .. Member(A)

APPLICATION NO. 1956/86

A. Babu, Record Keeper,
Office of the Asst. Engineer,
Branch Telecom Stores Depot,
Dooravaninagar,
Bangalore-560016.

... Applicant

(Shri W.K. Joshi ... Advocate)

VS

1. The Divisional Engineer,
Telegraphs,
Bangalore-560009.
2. The Assistant Engineer,
Branch Telecom Stores Depot,
Dooravaninagar,
Bangalore-560016.
3. Shri M. Gnanadas, Daftry (Record Keeper)
in the office of the Chief Accounts
Officer, P&T, Cost Cheque Unit,
Dooravaninagar,
Bangalore-560016.
4. Shri Kantharaj Setty, Daftry (Record Keeper)
in the office of the D.E.T. Tumkur. ... Respondents

(Shri D.V. Shailendra Kumar ... Advocate)

The application has come up for hearing before the
Court today. Shri P. Srinivasan Member made the following:

O R D E R

In this application which originated as Writ petition
No. 16526 of 1984 before the High Court of Karnataka, the
prayer of the applicant is that order dt. 19.9.84 at



...2/-

Annexure B, order dt.5.10.84 at Annexure C and order dt.23.4.75 at Annexure D be quashed. By the first mentioned order, the Divisional Engineer, Telegraphs, intimated that the applicant, a Group 'D' official who was working as Record Keeper in an officiating arrangement would have to be posted back as peon. In the Second mentioned order, a certain S.Kantaraj Shetty (R-4), daftry in another office was transferred to take the place of the applicant. By the third mentioned order, a certain M.Gnanadas (R-3) who according to the applicant, is junior to him was appointed as daftry. At the time of hearing today, Shri W.K.Joshi, learned counsel gave up the prayers made in the application and pleaded that Respondents 1 and 2 be directed to consider the case of the applicant for promotion to the post of daftry in accordance with his seniority. According to Shri Joshi, the applicant was the second seniormost Group D official in the test category as per the seniority list on 1.1.83. Since then, the seniormost person has already been promoted and so the applicant is now the seniormost in that grade.

2. Shri D.V.Shailendra Kumar, learned counsel for the respondents pointed out that the prayers ^{of} the application ^{is} cannot be allowed because it is badly delayed. He has no objection however, to the applicant being considered for promotion as daftry in accordance with his seniority and the rules governing the subject, as and when a vacancy of daftry arises.

P. L. K.

...3/-

3. Having heard counsel for both sides, we direct respondents 1 and 2 to consider the applicant for promotion to the post of Daftry when such a vacancy arises on the basis of his seniority and in accordance with the rules. The prayers in the application having been given up, are rejected.

4. The application is disposed of as indicated above. No order as to costs.


VICE-CHAIRMAN


MEMBER(A)

sr/Vr