

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

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Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 27-10-87

APPLICATION NOS. 304 to 310 & 419/87(F)

Applicants

Shri K.N. Sharabha Char & 7 Ors

v/s The GM, Telecommunications, Karnataka  
& another

To

1. Shri K.N. Sharabha Char  
Section Supervisor (Operative)  
Office of the Divisional Engineer  
Telecom  
Coaxial Cable Project  
Jayanagar  
Bangalore - 560 011

2. Shri C.R. Sathya Murthy  
Section Supervisor  
Office of the Telecom District Engineer  
Tumkur

3. Shri Subba Ramaiah  
Section Supervisor (Operative)  
Office of the Divisional Engineer(Rural)  
Bangalore Telecom District  
Bangalore - 560 009

4. Shri M. Swaminathan  
Section Supervisor (Operative)  
Office of the Director of Quality Assurance  
Doorvaninagar  
Bangalore - 560 016

5. Smt K. Sunandamma  
Section Supervisor (Operative)  
Office of the Director of Quality Assurance  
Doorvaninagar  
Bangalore - 560 016

Respondents

6. Shri G.C. Mruthyunjaya Sharma  
Section Supervisor (Operative)  
Office of the Assistant  
Engineer (Rural/North)  
Bangalore Telecom District  
Bangalore - 560 009

7. Shri N. Damodaran  
Section Supervisor (Operative)  
Office of the Divisional  
Engineer (Rural)  
Bangalore Telecom District  
Bangalore - 560 009

8. Shri V.K. Seshadri  
Section Supervisor  
Office of the B.D.O.  
Telegraphs  
Mudigere

9. Shri R. Chandrakanth Goulay  
Advocate  
90/1, 2nd Block  
Thyagarajenagar  
Bangalore - 560 028

10. The General Manager  
Telecommunication  
Karnataka Circle  
Bangalore - 560 009

11. Smt K.R. Rajalaxmi  
Section Supervisor(Operative)  
Office of the Director Maintenance  
Southern Telecom Region  
Bangalore - 560 001
12. Shri M.S. Padmarajaiah  
Central Govt. Stng Counsel  
High Court Buildings  
Bangalore - 560 001

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Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER passed by this Tribunal in  
the above said application on 19-10-87

*[Signature]*  
Section Officer  
(Judicial)

Encl:As above

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH BANGALORE

DATED THIS THE 19TH OCTOBER, 1987

Present: Hon'ble Shri P. Srinivasan

Member (A)

Hon'ble Shri CH. Ramakrishna Rao

Member (J)

APPLICATION NO. 304 to 310/87 and  
419 of 87

1. Sri K.N. Sharabha Char, son of Sri Nanjappa, aged 43 years working as Section Supervisor (Operative) Office of the Divisional Engineer Telecom. Coaxial Cable Project, Jayanagar, Bangalore-11.
2. Sri C.R. Sathya Murthy, son of C.B. Ramaswamy, aged 52 years, working as Section Supervisor, Office of the Telecom, District Engineer, Tumkur.
3. Sri Subba Ramaiah, son of Venkatachalapathy Sastry aged 46 years, working as Section Supervisor (Operative) Office of the Divisional Engineer, (Rural) Bangalore Telecom District Bangalore-9.
4. Sri M. Swaminathan, son of late Sri K. Muniswamy, aged 49 years, working as Section Supervisor (Operative) Office of the Director of Quality Assurance, Doorvaninagar, Bangalore-16.
5. Smt. K. Sunandamma, wife of K. Satyanarayana Murthy, aged 47 years, working as Section Supervisor (Operative), Office of the Director Quality Assurance Durvaninagar, Bangalore-16.
6. Sri G.C. Mruthyunjaya Sharma, son of G. Chandra Sekharaiah, aged 47 years, working as Section Supervisor (Operative) Office of the Assistant Engineer (Rural) North Bangalore Telecom District Bangalore.
7. Sri N. Damodaran, son of Late Natesan aged 51 years, working as Section Supervisor (Operative) Office of the Divisional Engineer (Rural) Bangalore Telecom District, Bangalore-560 009.

Applicants

(Shri Chandrakant Goulay.....Advocate)

↑ f c k



1. The General Manager,  
Tele Communication,  
Karnataka Circle,  
Bangalore-9.
2. Smt. K.R. Rajalaxmi, Major,  
Section Supervisor (Operative)  
Office of the Director of  
maintenance Southern Telecom Region,  
Bangalore-1.

Respondents  
(Shri M.S. Padmarajaiah.....Advocate)

The application has come up for hearing before this Tribunal to-day, Hon'ble Member (A) made the following :

O R D E R

All these applications have been listed today under " cases not ready for hearing". However, with the consent of counsel for the applicants, Shri Chandrakant Goulay and counsel for respondents, Shri M.S. Padmarajaiah, we proceeded to hear and dispose of them on merits. As all the applications involve a common ground they are disposed of by this common order.

2. All the 8 applicants, working as Section Supervisors in the Telecommunications Department, Karnataka Circle, have prayed in these applications that they be given promotion from the date from which their Junior, Smt. K.R. Rajalakshmi was promoted as Section Supervisor. The second prayer is that they be given all financial benefits as a result of such promotion.

3. Shri Padmarajaiah, learned counsel for the respondents has filed a memo today to the effect that all these applicants have been promoted as selection grade Supervisors (Operative) with effect from 1.6.1974, the date on which Smt. K. R. Rajalakshmi and another Shri L. Gopu were

promoted to that post. With this memo, he has also filed a copy of the order promoting these applicants and certain others. The order narrates that the officials listed therein which include all the applicants before us" are deemed to have been promoted to the cadre of Section Supervisors (Operative) with effect from 1.6.1974, i.e., the date from which their junior, Smt. K.R.Rajalakshmi was promoted to the cadre of Section Supervisor (Operative)." At the end, the order states that "the pay and allowances of these officials will be fixed notionally with effect from 1.6.1974 and arrears of pay and allowances drawn and paid to the officials immediately under intimation to all concerned." Shri Padmarajaiah submits that with this order, the grievance of the applicants in these applications <sup>M has</sup> ~~have~~ been set right and ~~do~~ not survive for consideration. Shri Padmarajaiah also informs us that copies of the said order have been despatched to all the officials listed therein including all the applicants before us.

4. While agreeing with Shri Padmarajaiah, Shri Chandrakant Goulay expressed an apprehension that while implementing the order, the applicants may not be given arrears of pay and allowances in their promoted posts with effect from 1.6.1974 but from some later date. We see no justification for this apprehension because the order does not mention any date after 1.6.1964 from which arrears of pay and allowance have to be drawn and paid to the officials listed therein. In view of

15-28



this we agree with Shri Padmarajaih that all these applications have become infructuous.

5. In the result, these applications are dismissed as having become infructuous. Parties to bear their own costs.

Sd/-

MEMBER (A) 1111

Sd/-

MEMBER (J) 14/10/87

sb.

- True Copy -

14/10/87  
SECTION 17  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BENGALES  
BENGALORE