

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 7-4-87

Application Nos. 1905 to 1913, 1973 to 1985/86
13, 14, 21, 22, 23 and 53/87

Applicant

Smt B.A. Shashikala & 27 Ors

V/s The Chief Superintendent, CTO
Bangalore & 11 Ors

To

1. Smt B.A. Shashikala
2. Smt B.K. Radha
3. Smt N. Manorama
4. Smt D.L. Padmaja
5. Smt Rukminiamma
6. Sri Mohammed Yaccob
7. Shri H. Sridhar
8. Smt S. Vedavathi
9. Smt Padmavathi
10. Smt B.P. Usha
11. Shri T.K. Manjunath
12. Sujatha N. Nazare
13. Shri K.V. Prabhu
14. Smt Shanthi
15. Smt Bhagyalekshmi
16. Seetha K
17. V. Ramamani
18. Shri Benedicta Monterio
19. Smt Shobhalakshman
20. Shri Girish Kadam

21. Suneetha Bai
22. Shri Sathyanarayan Prasad
23. Shri Anthoni
24. Shri K. Sempathkumar
25. Smt C. Vijayalakshmi
26. Smt M. Ratna
27. Smt Geetha Bai
28. Shri T.R. Mohan Kumar
(Address for Applicants 1 to 28 -
Central Telegraph Office
Indian Posts & Telegraphs Department
Bangalore - 560 001)
29. Dr M.S. Nagareja
Advocate
No. 35, II Floor
(Above Hotel Swagath)
I Main Road, Gandhinagar
Bangalore - 560 009
30. The Chief Superintendent
Central Telegraph Office
Bangalore - 560 001
31. The General Manager
Telecom
Karnataka Circle
Bangalore - 560 009

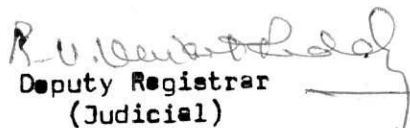
32. Smt Sudha Badgeri
33. Smt K.N. Jyothi
34. Smt K. Bharathi
35. Smt N. Savithri
36. Smt K. Shakuntala
37. Smt M.R. Bharathi
38. Shri C.V. Mahadevaswamy
39. Smt V. Geetha
40. Smt T.V. Nagarathnasai
41. Shri K.H. Jagannatha

(Sl Nos 32 to 41 - Telegraphists
Central Telegraph Office
Indian Posts & Telegraphs Department
Bangalore - 560 001)

42. Shri M. Vasudeva Rao
Addl Central Govt. Sng Counsel
High Court Buildings
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH IN
APPLICATION NOS. 1905 to 1913, 1973 to 1985/86
13, 14, 21, 22, 23 & 53/87

Please find enclosed herewith the copy of the Order passed by this
Tribunal in the above said Applications on 31-3-87.


Deputy Registrar
(Judicial)

Encl : As above

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 31ST DAY OF MARCH 1987.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy,

.. Vice-Chairman.

And

Hon'ble Mr. P. Srinivasan,

.. Member(A).

APPLICATIONS NUMBERS 1905 TO 1913, 1973 TO 1985 OF 1986
13, 14, 21, 22, 23 AND 53 OF 1987.

1. Smt. B.A. Shashikala,
Wife of Srikantha Babu,
Aged about 24 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-560 001. .. Applicant in A.1905/1986.
2. B.K. Radha,
Daughter of Krishna Rao,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-560 001. .. Applicant in A.1096/1986.
3. Smt. N. Manorama,
W/o S. Venkataraju,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.1907/1986.
4. Smt. D.L. Padmaja,
D/o Lakshminarayana Rao,
Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.1908/1986.
5. Smt. Rukminiamma,
D/o M. Ramaiah,
Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.1909/1986.
6. Sri Mohammed Yaccob,
S/o Abdul Rahman,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1910/1986.

detail, the respondents have not so far appointed the applicants as regular Telegraphists, though all of them have rendered serviced as 'reservists' for more than three years. In these separate but identical applications made under Section 19 of the Administrative Tribunals Act, 1935 ('the Act'), the applicants have sought for a direction to the respondents to appoint them as telegraphists on a regular basis from the date of their respective initial appointments as reservists.

3. In their common reply, the respondents while detailing the facts leading to the appointments of the applicants, have inter alia stated that they will be absorbed against regular vacancies in due course.

4. Dr. H.S. Nagaraja, learned counsel for the applicants contends that there has been undue and unjustified delay in not making regular appointments of his clients and, therefore this Tribunal should direct the respondents to forthwith appoint them on a regular basis from the date of their respective initial appointment as reservists and in any event with expedition and that till such time the respondents be restrained from making further selections of outsiders to the cadre of Telegraphists.

5. Sri M. Vasudeva Rao, learned Additional Central Government Senior Standing Counsel appearing for the respondents referring to the assurance held out by his clients opposes the directions sought by the applicants.

6. In the very appointment orders issued to each of the applicants the appointing authority had stated that each of them would be appointed on a regular basis in due course on the occurrence of a vacancy which is reiterated in the reply filed before us. We will even assume that the respondents are justified in not making appointments of the applicants on a regular basis so far and the same cannot be done in the very immediate future for every one



of the reasons stated by them. But, notwithstanding all of them, the respondents cannot postpone the same for all time to come or even indefinitely and are bound to do the same with all reasonable despatch. We need hardly say that such a course besides being in the interests of the applicants is also in the interests of smooth administration. But, till that is not done, it is necessary that the respondents should not make fresh selections and appointments of outsiders to the cadre. If it is otherwise, grave injustice would be occasioned to the applicants selected as reservists and have been working for more than 3 years.

7. In the light of our above discussion, we direct the respondents to absorb the applicants on a regular basis with all such expedition as is possible in the circumstances of the cases. But, till then, the respondents are also directed not to make fresh selections and appointments of outsiders to the cadre of Telegraphists.

8. Applications are disposed of in the above terms. But, in the circumstances of the cases, we direct the parties to bear their own costs.

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VICE-CHAIRMAN

sdl-

MEMBER(A)

31-3-1987

-True Copy-



B. V. Venkatesh Reddy
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE