

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 27-10-87

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

Applicants

Respondents

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

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
Thyagarajanagar
Bangalore - 560 028
10. The General Manager
Telecommunication
Karnataka Circle
Bangalore - 560 009

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11. Smt K.R. Rajalexmi
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

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

Encl:As above

[Signature]
Section Officer
(Judicial)

o/c

RECEIVED 12 Copies 28/10/87

Diary No. 1368/CR/87

Issued Date: 30.10.87 *DS*

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.
8. Sri V.K. Seshadri, son of Krishnappa aged 45 years, working as Section Supervisor, Office of the B.D.O. Telegraphs, Mudigere.

Applicants

(Shri Chandrakant Goulay.....Advocate)

P. L. K.



1. The General Manager,
Tele Communication,
Karnataka Circle,
Bangalore-9.
2. Smt. K.R. Rajalakshmi, 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 ^{M has} ~~have~~ been set right and ^M 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

P. J. - 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) 11/11/87

Sd/-
MEMBER (J) 14/10/87

sb.

- True copy -



[Signature]
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE