

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated: 28 July 1993

APPLICATION NO(s). 241 of 1993.

Applicant(s) Smt.M.Shankari v/s. Respondent(s) General Manager,
Telecom, Bangalore & Others.

To

1. Smt.M.Shankari,
Transmission Assistant,
Telephone Exchange,
Kumta-581343.
Kerwar District.
2. Sri.P.A.Kulkarni,
Advocate, No.48,
57th-A-Cross,
IV Block, Rajajinagar,
Bangalore-10.
3. The Chief General Manager,
Karnataka Telecom Centre,
Old Madras Road, Ulsoor,
Bangalore-8.
4. Director, Telecom,
Area Office, Mangalore-575001.
5. District Engineer,
Telecom, Kerwar.
6. Sri.M.S.Padmarajaiah,
Central Govt.Stng.Counsel,
High Court Building,
Bangalore-1.

SUBJECT:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore Bench
Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY/INTERIM ORDER passed by this Tribunal in the above said
application(s) on 15-07-93.

Signed
Law

Q/c

for *M. S. Padmarajaiah*
DEPUTY REGISTRAR
JUDICIAL BRANCHES.
28/7/93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH : BANGALORE

DATED THIS THE 15TH DAY OF JULY, 1993.

PRESENT

HON'BLE JUSTICE MR. P.K. SHYAMSUNDAR .. VICE CHAIRMAN

HON'BLE MR. V. RAMAKRISHNAN ... MEMBER (A)

APPLICATION No.241/93

Smt. M. Shankari,
Transmission Assistant,
Telephone Exchange,
Kumta - 581 343,
Karwar District.

... Applicant

(Shri P.A. Kulkarni ... Advocate)

Vs.

1. General Manager (O),
Office of the Chief General
Manager, Telecom,
Karnataka Telecom Circle,
Ulsoor, Bangalore - 560 008.

2. Director - Telecom,
Area Office, Mangalore-575 001.

3. Telecom District Engineer,
Karwar.

... Respondents

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

This application, having come up before this Tribunal today for orders, Hon'ble Mr. V. Ramakrishnan, Member (A), made the following :

ORDER

The grievance of the applicant in the present case is that she has not been allowed to cross the Efficiency Bar only



on account of her prolonged absence from duties. We find, from a perusal of the records that the applicant was no doubt absent from duty on various occasions, but this absence was regulated by duly sanctioning her leave and she was not on unauthorised absence. We had gone through the proceedings of the D.P.C. which considered her case for crossing of Efficiency Bar on 11.12.1990 and find that the recommendation that she could not cross the Efficiency Bar with effect from 1.12.89^{1.12.91} based on the circumstance that it was due to unsatisfactory records of service on account of prolonged absence.

2. As she has not been on unauthorised absence during the periods, her absence alone will not be a valid ground to deny her the benefit of crossing of the Efficiency Bar. We are informed that she is at present attending to her duties. We, therefore, direct the respondents to reconsider the matter and take a view regarding her eligibility to cross the Efficiency Bar from the relevant date objectively on the basis of her performance. This direction should be complied with within a period of three months from the date of receipt of a copy of the order. No costs.

Sd-

MEMBER (A)

Sd-

VICE CHAIRMAN



TRUE COPY

W. S. S. 28/7/93
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE