

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 030.

Dated: 18 APR 1995

APPLICATION NO. 1388/94, and 1616 to 1643 of 1994.

APPLICANTS: S/Sh. M. Mahavishnu and twenty eight others.,

V/S.

RESPONDENTS: The Chief General Manager, Karnataka Telecom Circle,
Bangalore and three others.,

To

1. Sri. M. B. Nargund, Advocate,
No. 799, Third Main Road,
Fourth Block, Rajajinagar,
Bangalore-560 010.
2. Sri. G. Shanthappa, Additional Central
Govt. Standing Counsel, High Court Bldg,
Bangalore-560 001.

Subject: Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

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Please find enclosed herewith a copy of the Order/
Stay Order/Interim Order, passed by this Tribunal in the above
mentioned application(s) on 31st March, 1995.

Issued on
18/4/95

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2697
DEPUTY REGISTRAR
JUDICIAL BRANCHES

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

(60)

ORIGINAL APPLICATION Nos.1388/94 & 1516 TO 1643/94

FRIDAY, THIS THE 31ST DAY OF MARCH, 1995

SHRI V. RAMAKRISHNAN ... MEMBER (A)

SHRI A.N. VUJJANARADHYA ... MEMBER (J)

1. M. Mahavishnu, S/o. M. Muniswamy,
aged 45 years, Technician, O/o the Asst.
Engineer, Ulsoor II Cross Bar, Mark I Bangalore.
2. G. Muthukrishnan, S/o K. Gopal,
aged 47 years, Technical Supervisor,
O/o A.E., Ulsoor II, Mark I, Bangalore-8.
3. M. Munivenkata, S/o M. Muniyappa,
aged 46 years, Technical Supervisor,
AEULS I TDI, Ulsoor, Bangalore-8.
4. R. Ravindranath, S/o N. Ramaswamy,
aged 48 years, Technical Supervisor,
AEULS I TDI, Ulsoor, Bangalore-8.
5. G. Chandrasekar, S/o N. Govindaswamy,
aged 45 years, Technical Supervisor,
O/o A.E. Ulsoor I, Bangalore-8.
6. G. Aruldoss, S/o M. Govindaswamy,
aged 47 years, Technical Supervisor,
O/o A.E., Telex CM & Camp, Bangalore-1.
7. P. Shanmugam, S/o S. Periyaswamy,
aged 48 years, Technical Supervisor,
O/o A.E. EDX Telex Telecom, Bangalore-1.
8. P. Ranganathan, S/o Ponnuswamy,
aged 53 years, Technician, O/o the A.E. EDX,
Telecom, Bangalore.
9. G. Singaram, S/o Ganapathi, aged 47 years,
Technic-al Supervisor, O/o A.E. D/D Cen.
Bangalore.
10. M. Anandan, S/o Muniappa, aged Major,
Technician, D.S.A. Installation, Bangalore.
11. N. Vasudeva Rao, S/o Nagoji Rao, aged 49 years,
Technical Supervisor, O/o A.E. X Installation,
Bangalore.
12. S. Selvaraju, S/o Saman, aged 44 years,
Technician, O/o A.E. Trunk Tech.i. Bangalore.



13. V. Doraiswamy, S/o Veeraswamy,
aged 45 years, Technician, O/o A.E.
Trunks, Tech. I Bangalore.
14. P.F. Vincent, S/o P.M. Francis,
aged 47 years, Technical Lineman,
O/o A.E. Trunks, Tech. I, Bangalore.
15. M. Chengalrayudu, S/o M. Munaswamy,
aged 53 years, Technician, O/o the A.E.
PCM, N.T.B. Bangalore-1.
16. P. Murugeshan, S/o Pallikudathan,
aged 44 years, Technician, O/o A.E.
Trunks, Bangalore.
17. V. Krishna Murthy, S/o Venkataramanappa,
aged 44 years, Wireman, Technical
O/o Central (East) Bangalore-1.
18. J. Shivakumar, S/o S. Jayaram,
aged 42 years, A.E.A. O/o A.E. Trunks
Tech.I, Bangalore.
19. M.P. Maheshwari, W/o T.M. Pattu,
aged 47 years, Technician, O/o A.E.
Trunks Tech.I, Bangalore.
20. P. Selva Pillaiyar, aged 48 years,
Technician, O/o A.E. C.M.L. Indoor II,
Bangalore.
21. Shamala B.L. D/o B.V. Lakshminarayan,
Technician, O/o A.E. Trunks Tech.I Bangalore.
22. M. Govindarajan, S/o Muniswamy,
aged 41 years, Technician, O/o A.E. Jayanagar,
Bangalore.
23. P. Kasi, S/o Perumal, aged Major,
Technician, O/o A.E. Jayanagar, Bangalore.
24. V.S. Devaraj, S/o V.R. Shanmugen,
aged 41 years, Technician, O/o A.E. City
East, Bangalore.
25. Syed Vali Moulana, S/o Syed Inayathulla,
aged 41 years, Wireman Technician, O/o A.E. CEN II,
New Telecom Building, Bangalore.
26. P. Subramanian, S/o K. Ponasmamy,
aged 45 years, Technical Supervisor,
O/o A.E., Bangalore-1.
27. A. Kannan, S/o Appaswamy, aged 54 years,
Technician, O/o Telephone Ex., 80 Ft. Road,
Bangalore-8.

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28. K. Raghavan, S/o Krishnaswamy,
aged 44 years, Technician, B.P. X Installation,
Bangalore-1.

29. M.C. Balagangadhar, S/o M.K. Channappa,
aged 36 years, Technician, O/o S.D.E.
Rural Planning Amenity Block, Bangalore-1. ... Applicants

(By Advocate Shri M.B. Nargund)

vs.

1. The Chief General Manager,
Karnataka Telecommunication Circle,
Ulscoor, Bangalore.

2. General Manager, Bangalore Telephones,
K.G. Road, Bangalore.

3. The Chairman Telecommunication,
Sanchar Bhavan, New Delhi.

4. The Secretary to the Department of
Personnel and Public Grievances and
Training, Govt. of India (Department
of Personnel and Training), New Delhi. ... Respondents

(By Advocate Shri G. Shanthappa,
Addl. Central Govt. Stg. Counsel)

ORDER

Shri V. Ramakrishnan, Member (A) :

Shri G. Shanthappa files the reply statement. The pleadings are complete and the parties are ready. We have heard Shri M.B. Nargund for the applicants as also Shri Shanthappa the learned standing counsel and proceed to dispose off the case.

2. The applicants herein have prayed for a direction to the respondents to grant them the benefit given to the applicant by the Tribunal by its judgment rendered on 26.3.1993 in G.A. No.156/92 which is enclosed as Annexure-A1 to the application. In G.A. No.156/92 the Tribunal had directed the respondents to treat the training period undergone by the applicants who were technicians in the Dept. of Telecommunications as duty for the purpose of increment nationally and to give the actual benefit from 1.10.1990 onwards.

irrespective of the fact that the applicants in that case had undergone the training prior to 1.1.1986. The Tribunal had done so by setting aside the restriction imposed by the department that the benefit of the treatment of the training as duty for the purpose of granting the benefit was available only if the training was undergone on or after 1.1.1986. In O.A. No. 1103/1994^{NP} the Tribunal had also held that this benefit would be admissible not only to direct recruits but also to departmental candidates, i.e., promotees.

3. The respondents contend that the benefit of the judgment in O.A.No.156/92 had to be implemented only in respect of the applicants in that O.A. and as such, the present applicants are not automatically entitled to the benefit of the judgment. Shri Shanthappa states that apart from this, there is no other difference between the two categories, but, he is not sure about Shri A. Shivakumar, who appears at Sl.No.18 of the application in respect of whom it is necessary to verify whether he was a Technician at the relevant time. We are further informed that the department had implemented the directions of this Tribunal in O.A. No.156/92 as is seen by the department's letter dated 11.2.1994, as at Annexure-A2 to the present application.

4. Following the decision in O.A.No.156/92, we direct the department to deal with the case of the present applicants except in respect of the applicant Shri A. Shiva Kumar at Sl.No.18, in the same manner and by applying the same principles as had been done in the case of applicants in O.A.No.156/92. In the case of Shri A. Shiva Kumar, the department will verify whether he was holding the post of Technician at the relevant time of the training and if so, extend the benefit to him also. This should be done within three months from the date of receipt of a copy of this order. No costs.

5d/-

(A.N. VUJJANARADHYA)
MEMBER (J)

Sd/-

(V. RAMAKRISHNAN)
MEMBER (A) 313(4)

(66)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 033.

Misc. Appln. No. 317 of 1995 in

Dated: **28 JUL 1995**

APPLICATION NO. 1388 of 1994 and 1616 to 1643 of 1994.

APPLICANTS: M.Mahavishnu and twenty eight others.,

V/S.

RESPONDENTS: The Chief General Manager, Karnataka Telecom
Circle, Bangalore and three others.,

To

1. Sri. M. B. Nargund, Advocate,
No. 799, Third Main Road,
Fourth Block, Rajajinagar,
Bangalore -10.
2. Sri. G. Shanthappa, Addl. C.G.S.C.
High Court Bldg, Bangalore-1.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

Please find enclosed herewith a copy of the Order/
Stay Order/Interim Order, passed by this Tribunal in the above
mentioned application(s) on 19-07-1995.

Issued on
28/07/95

V
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm* *OK*

Sri. M. Mahavishnu & 28 o/s. Vs. Chief G.M. Telecom, Bangalore

CAs 1388/94 and 1616 to 1643/94

(67)

Date	Office Notes	Orders of Tribunal
		<p><u>PKS VC/TVR MA</u> 19th July 1995</p> <p><u>Orders on M.A. No.317/95:</u></p> <p>Heard the Standing Counsel. Time for compliance extended by three more months from this day.</p>

Sd-

MEMBER (A)

VICE-CHAIRMAN

Sd-

TRUE COPY


27/7/95

Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore



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CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Misc. Appln. No. 451 of 1995 in

Dated: 16 NOV 1995

APPLICATION NO. 1388/1994 and 1616 to 1648 of 1994.

APPLICANTS: M. Mahavishnu and others.,

V/S.

RESPONDENTS: Chief General Manager, Telecommunications,
Bangalore-8 and others.,

To

1. Sri. M. B. Nargund, Advocate,
No. 799, Third Main Road,
Fourth Block, Rajajinagar,
Bangalore-560010.

2. Sri. G. Shanthappa, Additional Central
Govt. Stng. Counsel, High Court Bldg,
Bangalore-560001.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

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Please find enclosed herewith a copy of the Order/
Stay Order/Interim Order, passed by this Tribunal in the above
mentioned application(s) on 15-11-1995.

Issued on

16/11/95 *(Signature)*

V
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

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In the Central Administrative Tribunal
Bangalore Bench
Bangalore

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Application No.

1643
1388 & 1616 of 1992

~~1616 & 1388~~
ORDER SHEET (Contd.)

Sh. Mahavishnu & Ors

vs. Chief G. M. Telecommunications

Date

Office Notes

Orders of Tribunal

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PKS (VC) / TVR (MA)
15.11.95

Shri G. Shanthappa,
Standing Counsel seeks permission
to withdraw this M.A. No. 451/95.
Permission is granted. M.A.
is dismissed as withdrawn.

Sd/-

Sd/-

M(A)

VC

TRUE COPY

Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

