

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

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

DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

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. Peryaswamy, 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, Technical Supervisor, O/o A.E. O/D Can. 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. Murugesan, 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. O/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. Shanmugan,  
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. Subramaniam, S/o K. Ponaswamy,  
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.

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

29. M.C. Balagangadhara, 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,  
Ulsoor, 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)

O R D E R

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 O.A.No.156/92 which is enclosed as Annexure-A1 to the application. In O.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 notionally 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/<sup>decided on 07.01.1995</sup> the Tribunal had also held that this benefit would be admissible not only to direct recruits but also to departmental candidates, i.e., promotees. 187

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 pre-sent 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.

COPY

Control -  
Registrar  
Bengaluru

Sd/-  
31/3/95  
( A.N. VUJJANARADHYA )  
MEMBER (C)

Sd/-  
31/3/95  
( V. RAMAKRISHNAN )  
MEMBER (A)

(66)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: **28 JUL 1995**

Misc. Appln. No. 317 of 1995 in

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.

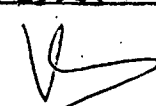
Subject:- Forwarding copies of the Orders passed by the  
Central Administrative Tribunal, Bangalore-38.

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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 19-07-1995.

Issued on  
28/07/95

gm\*

  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

Sri. M. Mahavishnu & 28 000 1/5 Chief G. M. Telecom, B'lore 40x

UAs 1388/94 and B16 to 1643/94

(67)

Date	Office Notes	Orders of Tribunal
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PKS VC/TVR MA

19th July 1995

Orders on M.A. No.317/95:

Heard the Standing Counsel. Time for compliance extended by three more months from this day.

Sd-

Sd-

MEMBER [A]

VICE-CHAIRMAN



TRUE COPY

*[Signature]*  
27/7/95

Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Misc. Appln. No. 451 of 1995 in

Dated: **16 NOV 1995**

APPLICATION NO. 1388/1994 and 1616 to 1643 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)*

for **DEPUTY REGISTRAR  
JUDICIAL BRANCHES.**

*(Signature)*

gm\*



In the Central Administrative Tribunal  
Bangalore Bench  
Bangalore

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Application No. 1388 & 1616/1643 of 1994

ORDER SHEET (Contd.)

Sh. Mahavishnu for 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

*[Signature]*  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore