

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: **20 JUN 1995**

APPLICATION NO. 1651 of 1994.

APPLICANTS: Mr. Babu,  
V/S.

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

To

1. Sri.M.Raghavendra Achar, Advocate,  
No.1074 & 1075, Fourth Cross,  
Second Main, Sreenivasanagar,  
Bangalore-560 050.
2. Sri.M.Vasudeva Rao, Additional  
Central Govt. Standing Counsel,  
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 Eighth June, 1995.

Issued on  
20/06/95

*[Signature]*

*[Signature]*

gm\*

*[Signature]*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.1651/94

THURSDAY THIS THE EIGHTH DAY OF JUNE, 1995

MR. JUSTICE P.K. SHYAMSUNDAR VICE CHAIRMAN

MR. T.V. RAMANAN MEMBER (A)

Babu,  
S/o Vishwanath,  
aged 40 years,  
Assistant Engineer,  
C/o Nagashetty,  
H.No.8, Adarsha Colony,  
Behind KEB,  
Bidar - 585 401

Applicant

( By Advocate Shri M.R.Achar )

v.

1. The Chief General Manager,  
Telecommunication,  
Karnataka Circle,  
Bangalore - 8
  2. The Chairman,  
Telecom Commission,  
Department of Telecommunications,  
Sanchar Bhavan,  
New Delhi - 1
  3. The Director General,  
Department of Telecommunications,  
Sanchar Bhavan,  
New Delhi
- Respondents

( By learned Standing Counsel )  
Shri M.V. Rao

ORDER

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

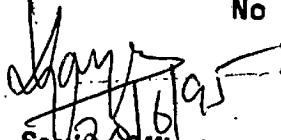
We have heard Shri M.R. Achar for the  
applicant and Shri M.V. Rao for the respondents.  
It seems to us that it is very appropriate for  
the Government to dispose of the representation



admittedly made by the applicant which is still pending consideration by Government where he has made a demand for payment of arrears in the higher post to which he was promoted from an earlier date. The justification for claiming arrears is based on the ground that for no fault of his the promotion rightly due to the applicant had been denied and delayed for nearly two years. Shri Achar relies in this connection on the decision of the Supreme Court in the case of UNION OF INDIA & ORS v. K.V. JANKIRAMAN AND ORS - 1991(4) SCC 109. Hence, we think it appropriate for the Government to dispose of the applicant's representation taking into consideration the factum of the administrative time lag in the matter of considering the case of the applicant for promotion and if any benefit is to be given to him it is not merely on the basis of equity but also on the basis of the judgment of the Supreme Court in the case of Jankiraman referred to and relied upon by Shri Achar but distinguished by Shri Rao. It would, therefore, be desirable that Government should bear in mind these points and dispose of the applicant's representation which is said to be pending. They should do so within three months from the date of receipt of a copy of this order.

No costs.

TRUE COPY

  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

  
MEMBER (A)

  
VICE CHAIRMAN

