

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD

TRANSFERRED/ORIGINAL APPLICATION NO. 22 of 1989

DATE OF ORDER: 24th April, 1990

BETWEEN:

V.Lakshmikantha Rao

APPLICANT(S)

and

The Secretary, Director General,
Dept. of Telecom., New Delhi and 2 others

RESPONDENT(S)

FOR APPLICANT(S): Mr. K.S.R.Anjaneyulu, Advocate

FOR RESPONDENT(S): Mr. N.Bhaskar Rao, Addl. CGSC

CORAM: Hon'ble Shri J.Narasimha Murthy, Member (Judl.)
Hon'ble Shri R.Balasubramanian, Member (Admn.)

1. Whether Reporters of local papers may be allowed to see the Judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgment?
4. Whether it needs to be circulated to other Bench of the Tribunal?
5. Remarks of Vice-Chairman on columns 1,2,4 (to be submitted to Hon'ble Vice-Chairman where he is not on the Bench)

HJNM
M(J)

HRBS
M(A)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI J.NARASIMHA MURTHY, MEMBER (JUDL.)

This is a petition filed by the petitioner for a relief to declare the order of the General Manager, Telecom, Hyderabad vide No.TA/RE/5-11/83/III dated 15.4.88 communicated under TDE-GTR Lr.No.E4/Dept1/CE/XIX/50 dated 6.1.1988 as arbitrary and the respondents be directed to declare the result of the applicant for the Junior Engineer's examination and promote him on the same principle laid down by this Tribunal in T.A.No.531 of 1986.

2. We have heard the learned counsel for the applicant, Shri K.S.R.Anjaneyulu and the learned counsel for the respondents Shri N.Bhaskar Rao, Addl. CGSC. This Tribunal has delivered a Judgment in O.A.No.356 of 1988 in which the facts are almost similar to that of the present O.A.No. 22 of 1989. In O.A.No.356 of 1988 we have held as follows:-

"We are quite convinced that the points raised in this application are similar to those raised and decided in T.A.No.531 of 1986. Therefore, this application is fully covered by the Judgment dated 27.11.1986 in T.A.No.531 of 1986. At the time of delivering the judgments in T.A.No.531 of 1986 as well as in T.A.No.558 of 1986, this Tribunal had the information about the marks obtained by the concerned applicants. We do not have with us the marks obtained by the 10 applicants before us. We do not feel the necessity to obtain this information as to the marks obtained by the respective candidates. From the earlier judgment, we find that the marks obtained in the examination by the last candidate of the select list was 269. We, therefore, direct the respondents to promote such

36

of these 10 applicants in this application as have secured 269 or more marks and appoint them as Junior Engineers with effect from the dates the persons immediately below them in the merit list were promoted. All consequential benefits will also be conferred on them. This order may be implemented within two months of the receipt of this Judgment."

3. Following the Judgment in C.A.No.356 of 1988, we direct the respondents to declare the results of the applicant herein for the Junior Engineer's examination and promote him if he comes out successful with effect from the date the person immediately below him in the merit list was promoted. All consequential benefits will also be conferred on him.

4. The application is accordingly allowed. There will be no order as to costs.

(Dictated in the open Court).

(J. NARASIMHA MURTHY)
Member (Judl.)

(R. BALASUBRAMANIAN)
Member (Admn.)

Dated: 24th April, 1990.

DEPUTY REGISTRAR

4/5/90

TO:

1. The secretary to Government and Director General, (Union of India) Department of Telecommunications, New Delhi.
2. The General Manager, Telecommunications, Hyderabad.
3. The Telecom district Engineer, Guntur.
4. One copy to Mr.K.S.R.Anjaneyulu, Advocate, 1-1-365/A, Jawaharnagar, Bakaram, Hyderabad-500 020.
5. One copy to Mr.N.Bhaskara Rao, Addl.CGSC,CAT, Hyderabad.
6. One spare copy.

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2nd copy

QSS
CHECKED BY

TYPED BY:

COMPARED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:HYD.

HON'BLE MR.B.N.JAYASIMHA: V.C.

HON'BLE MR.D.SURYA RAO: MEMBER:(JUDL)

A N D

HON'BLE MR.J.NARASIMHA MURTHY(M)(J)

A N D

HON'BLE MR.R.BALASUBRAMANIAN:(M)(A)

DATED: 29.4.90

ORDER/JUDGMENT:

M.A./R.A./C.A./NO. in

T.A. No.

W.P. No.

O.A. No. 22/89

Admitted and Interim directions issued.

Allowed.

Dismissed for default.

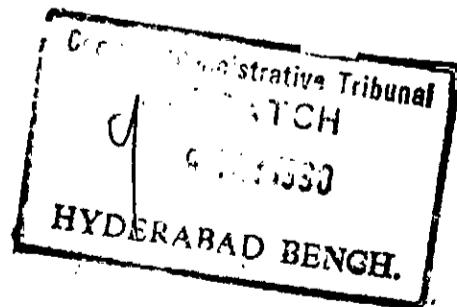
Dismissed.

Disposed of with direction.

M.A. ordered.

No order as to costs.

Sent to Xerox on:



8