

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No 1049/91

Date of Order: 4-6-1992

BETWEEN:

K.Chandrasekhar

.. Applicant.

A N D

1. Union of India, rep. by
the Secretary, Communications,
Sanchar Bhavan, New Delhi.
2. The Director General,
Telecommunications,
Sanchar Bhavan,
New Delhi.
3. The Chief General Manager,
Telecom, ~~Karnataka Circle,~~
~~Bangalore. A.P. Doos Sanchar Bhavan, Hyderabad.~~
4. K.Bhogeswara Rao,
Assistant Engineer,
Dy.T.D.E. Hassan,
Karnataka.

.. respondents.

Counsel for the Applicant

.. Mr.D.Madhava Reddy

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Division Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.)).

T. Chandrasekhara Reddy

Mr. D. Madhava Reddy, Advocate for the applicant and Mr. N.R.Devraj, Standing Counsel for the respondents are present. Heard both sides.

2. OA Nos.1599/87, 1125/88, 1673/87, 2141, 2139/88, 1597 & 1671/87 had been filed before the C.A.T., Principal Bench, New Delhi by the applicants who are similarly placed in all respects as the applicants in the present OA, for the very same reliefs the applicants have prayed for in the present OA. The Principal Bench as per the Judgement dated 7.6.1991 had allowed all the said OAs by giving appropriate directions. As against the said Judgements, the department (Respondents herein) carried the matter in appeal by filing Special Leave Petitions to the Supreme Court. The Supreme Court as per its order dated 6.1.1992 dismissed the S.L.Ps confirming the Judgements passed by the C.A.T. in the above referred OAs. So, as could be seen the Judgement of the C.A.T., New Delhi dated 7.6.1991, passed in the above said OAs had become ~~final~~ in all respects.

3. When this OA came up for hearing today, Mr. N.R.Devraj for the respondents, produced a copy of the letter addressed to the Chief General Manager, Telecommunications by the Govt. of India, Min of Communications, dated 1.5.1992. It will be pertinent to extract the relevant portion of the letter which is as follows: "In the light of recent Supreme Court decision upholding the decision of C.A.T.(Principal Bench), the proposal to revise the seniority of Telecom. Engineering Service, Gp.'E' Officers as per para 206 of P&T Manual Vol.IV, as well as to frame fresh All India Eligibility List of Junior Telecom Officers for promotion to Telecom.Engineering Services, Group'B' in accordance with said para 206, is under consideration of the Department."

T. C. M.

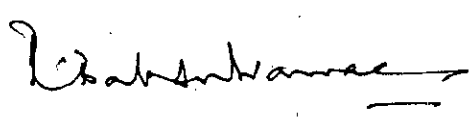
Copy to :-

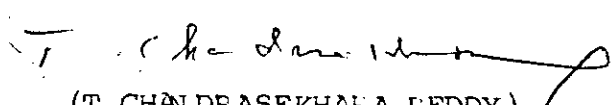
1. Secretary, Communications, Union of India, Sanchar Bhavan, New Delhi.
2. The Director General, Telecommunications, Sanchar Bhavan, New Delhi.
3. The Chief General Manager, Telecom, ^{communications} ~~Karnataka Circle,~~ Bangalore. A.P. Deo Sanchar Bhavan (Hyderabad)
4. Sri. K. Bhogeswara Rao, Assistant Engineer, Dy. T.D.E. Hassan, Karnataka.
5. One copy to Sri. D. Madhava Reddy, advocate, CAT, Hyd.
6. One copy to Sri. N. ^{Dev Raj} ~~Ramana~~, Addl. CGSC, CAT, Hyd.
7. One spare copy.

Rsm/-

In view of the said letter we are of the opinion that the interests of Justice would be met by deciding this OA by giving the very same directions that are given in OA.1599/87 and batch.

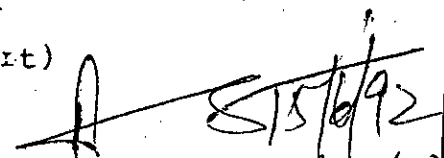
4. In the result we direct the respondents to extend the benefit of the Judgement delivered by the C.A.T. on 7.6.1991 in OA.1599/87 and batch to the applicant herein also. The applicant shall be deemed to have been promoted with effect from the date prior to the date of promotion of any person who passed departmental examination subsequent to the applicants and their seniority to be revised in TES Group 'B' cadre. The applicant shall also be entitled to re-fixation of the pay with effect from the said date. This order shall be implemented within six months from the date of receipt of the order. The application is disposed of with the said directions with no order as to costs.


(K. BALASUBRAMANIAN)
Member (Admn.)


(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 4th June, 1992

(Dictated in the Open Court)


Dy. Registrar (Judl.)

Contd. ... 4/-

O.A. 1049/91

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND

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

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY: ✓
MEMBER (JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 4/6/1992. ✓

ORDER / JUDGMENT

R.A./C.A./M.A.No.

O.A.No.

1049/91 ✓

T.A.No.

(W.P.No.)

Admitted and interim directions
issued

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs. 3/15/92 ✓

pvm.

