

53

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1106 of 1991

DATE OF JUDGMENT: 19th DECEMBER, 1991

BETWEEN:

Mrs. S. Theresa

..

Applicant

AND

1. Union of India, represented by
the Secretary to Government,
Ministry of Communications,
Department of Telecom.,
Central Secretariat,
New Delhi.
2. The Director General,
Telecommunications,
New Delhi.
3. The Chief General Manager,
Telephones,
A.P.Circle,
Hyderabad-1.
4. The Chief Superintendent,
Central Telegraph Office,
Hyderabad.
5. The Superintendent,
Central Telegraph Office,
Secunderabad-3.

..

Respondents

contd....

T. C. M.

10/12/91

COUNSEL FOR THE APPLICANT: Mr. V.Venkateswara Rao

COUNSEL FOR THE RESPONDENTS: Mr. N.R.Devaraj, Addl. CGSC

CORAM:

Hon'ble Shri T.Chandrasekhar Reddy, Member (Judl.)

JUDGMENT OF THE SINGLE MEMBER BENCH DELIVERED BY THE HON'BLE
SHRI T.CHANDRASEKHAR REDDY, MEMBER (JUDICIAL)

This is an application filed by the applicant under Section 19 of the Administrative Tribunals Act to declare that she is entitled for absorption as regular staff in the Department of Telecommunications as Telephone Operator/Attendant with the scales of the pay of Group 'C'/'D' whichever applicable with all attendant and consequential benefits such as arrears of salary etc.

2. Mr. V.Venkateswara Rao, counsel for the applicant is present and Mr. N.R.Devaraj on behalf of the respondents is present. Heard both the counsel. As seen, this is a case where the applicant had approached this Tribunal without exhausting the remedies open to her as per the service rules. But on this ground, we are not prepared to reject summarily this OA filed by the applicant. After hearing both sides, we are of the opinion that this OA could be disposed of by giving certain directions so as to protect the interests of both the parties before us.

contd....


.. 3 ..

3. Hence, we permit the applicant to make a representation for redressal of her grievances before the competent authority within a week from the date of receipt of this order. The competent authority shall receive the said representation so presented by the applicant and shall decide the same within two months thereafter. The applicant would be at liberty to approach this Tribunal once again if she continues to be aggrieved by the decision of the competent authority in the redressal of her grievances.

4. We have also heard both the counsel on interim relief. The record discloses, on 20.9.1991 that the applicant herein had made a representation to the competent authority requesting the said authority that the arrears due to her on account of enhanced rates of commission may be paid to her at the earliest. The said representation seems to be still pending with the respondents. OA 502/91 on the file of this Tribunal had been filed by one Ms. T. Mariamma with the same reliefs as prayed for by the applicant herein in this OA. The said OA 502/91 filed by Ms. T. Mariamma and the present application appear to be identical in all respects. The said OA 502/91 had been disposed of by this Tribunal as per its Judgment dated 26.9.1991. In the said Judgment, this Tribunal has observed that the applicant Ms. T. Mariamma in OA 502/91

T - C M - Y
contd....

shall be entitled to the enhanced rates of commission with effect from 1.4.1988 and 1.9.1989. In view of the observation by this Bench in the said OA 502/91 which OA as already pointed out is identical with the present OA 1106/91, by way of interim relief we direct the respondents to pay the applicant also within ^{six} weeks from the date of this order, the commission at the enhanced rates due to her w.e.f. 1.4.1988 and 1.9.1989. This application is disposed at the time of admission stage accordingly with the said directions and interim relief.


(T.CHANDRASEKHAR REDDY)
MEMBER (JUDL.)

Dated: 19th December, 1991.


Deputy Registrar(J)

20/12/91

- To
1. The Secretary to Government, Union of India,
Ministry of Communications, Department of Telecom,
Central Secretariat, New Delhi.
 2. The Director General, Telecommunications, New Delhi.
 3. The Chief General Manager, Telephones, A.P.Circle, Hyderabad-1.
 4. The Chief Superintendent, Central Telegraph Office, Hyderabad.
 5. The Superintendent, Central Telegraph Office, Secunderabad-3.
 6. One copy to Mr.v.venkateswara Rao, Advocate, CAT.Hyd.
 7. One copy to Mr.N.R.Devraj, Addl. CGSC. CAT.Hyd.
 8. One spare copy.

pvm

vsn

20/12/91
20/12/91