

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

D.A.No.391/92.

Dt. of Order:22-3-95.

Smt.S.Q.Nasreen Quadri

.. Applicant

Vs.

1. Senior Deputy Director General
(Building Works) Department of
Telecommunications, Sanchar Bhavan,
New Delhi-110 001.
2. The Union of India represented by its
Secretary, Ministry of Communications,
New Delhi-110 001.
3. The Superintending Engineer, Telecom
Civil Circle, Beside: City Central
Library, Chikkadpally, Hyderabad.
4. P.V.Mohanan
5. P.Venugopalan Nair
6. E.C.John

.. Respondents

* * *

Counsel for the Applicant : Shri P.R.Ramana Rao

Counsel for the Respondents : Shri N.R.Devaraj, Se.CGSC for
RR 1 to 3

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CORAM:

THE HON'BLE JUSTICE SHRI V.NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

(Order passed by Hon'ble Justice Shri V.N.Rao,
Vice-Chairman)

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DA 391/92.

Dt. of Order: 22-3-95.

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Vice-Chairman).

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No one present for the applicant and Respondents 4 to 6. Shri N.R.Devraj, appeared for Respondents 1 to 3.

2. This Original Application was filed challenging the proceedings No.19-5/91-CWG dt.27-9-91 and Proceedings No. 48-23/87-CWG dt.9-12-91 whereby the seniority positions were re-fixed by altering the final seniority list issued under proceedings No.13-1/87-CWG dt.17-12-87. ~~as she~~ ^{she} was shown as Junior to Respondents 4 to 6 as per proceedings dt.27-9-91 and 9-12-91 while she was shown as senior to Respondents 4 to 6 as per seniority list dt.17-12-87. || The point which arise for consideration is about the fixation of seniority of Assistant Engineers (Civil) in the Department of Telecom. This is an All India Cadre. Some of the Asst.Engineers (Civil), in Telecom, who were aggrieved by the seniority list dt.17-12-87 approached Calcutta, Madras & Ernakulam Benches of the Central Administrative Tribunal. It is stated for the Respondents 1 to 3 that on the basis of the Judgments of Calcutta, Madras & Ernakulam Benches, seniority lists of Asst.Engineers (Civil) and Electrical were revised by proceedings issued in 1991.

3. Just as the applicant filed this Original Application challenging the revised seniority list, some others who are aggrieved Asst.Engineers (Civil)/Asst.Engineers (Elec.) in Telecom challenged the revised seniority lists by approaching the various Benches of the Tribunal. Some of the Orig

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To

1. The Senior Deputy Director General
(Building Works) Dept.of Telecommunications,
Sanchar Bhavan, New Delhi-1.
2. The Secretary, Ministry of Communications,
Union of India, New Delhi-1.
3. The Superintending Engineer, Telecom
Civil Circle, Beside: City Central Library,
Chikkadapally, Hyderabad.
4. One copy to Mr.P.R.Ramana Rao, Advocate, 16-2-740/5
Kalyanagar, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.


pvm

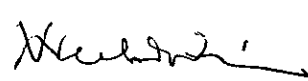
(Cell)

Applications wherein the seniority list dt.17-12-87 was challenged were also pending before the Principal Bench and various other Benches. Many of these O.A.s were withdrawn to the Principal Bench and they were disposed of by the order dt.13/14-9-93 in OA 727/87 and batch. It was held therein that if any one of the Benches delivers judgment in regard to challenge of seniority list of All India Cadre, then the Original Applicants pending in the other Benches have to be dismissed by giving option to the applicants that if they are aggrieved by the order passed by the Bench, they have to move that Bench by way of Review.

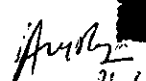
4. Even the remedy of the employees/officers who are not impleaded, is by way of review of that order and not by filing separate Original Applications, for divergent directions cannot be given to the Department in regard to the same seniority list. Hence the remedy of the applicant ^{herein,} is to challenge the orders of Calcutta, Madras and Ernakulam Benches by way of Review application and hence this Original Application is liable to be dismissed.

5. We feel that in the circumstances of the case it is just and proper to state that in case the applicant is going to file Review Application, the period up to this date has to be excluded for counting the period of limitation for filing review application. Subject to the above, Original Application is dismissed. No order as to costs./


(R. RANGARAJAN)
Member (A)


(V. NEELADRI RAO)
Vice-Chairman

Dt. 22-3-95/Dictated in Open Court


D.R. (5)C

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE- CHAIRMAN

AND

THE HON'BLE MR. R. RANGARAJAN: M (ADMN)

DATED - 22-3-1995.

~~ORDER~~/JUDGMENT:

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

O.A.No. 391/92ⁱⁿ

T.A.No. (W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed/as withdrawn

Dismissed for default.

Ordered/Rejected.

No.order as to costs.

no spare copy

