

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.
S.O. NO. 278 of 1995.

Between

Dated: 28.2.1995.

P.Visweswar Rao

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Applicant

And

1. Department of Telecommunications, New Delhi.

2. Chief General Manager, Telecommunications, A.P.Circle,
Doer Sanchar Bhavan, Hyderabad.

3. J. Threvaram.

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Respondents

Counsel for the Applicant

: Sri. B.S.A.Satyanarayana

Counsel for the Respondents

: Sri. V.Bhimanna, Addl. CGSC.

CORAM:

Hon'ble Mr. A.V.Haridasan, Judicial Member

Hon'ble Mr. A.B.Gerthi, Administrative Member

Contd:...2/-

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DA 270/95.

Dt. of Order: 28-2-95.

(Order passed by Hon'ble Shri A.V. Haridasan,
Member (J)).

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The applicant is a Telephone Operator, who has appeared and qualified in the Departmental Competitive Examination for promotion to the post of Jr. Telecom Officer, held in 14th and 15th of March, 1992. The applicant and other candidates who appeared qualified in the examination including those who belong to other categories were not appointed for want of vacancies in the quota. According to the recruitment rules 10% of the vacancies in the cadre of J.T.O. are to be filled from among the Auto Exchange Assistants (AEAs), by means of Limited Departmental Competitive Examination and 10% on the basis of seniority and qualifying test. Fifteen per cent of the posts are to be filled by promotion from other categories including Telephone Operators on the basis of a Competitive Examination. The applicant is now aggrieved by the fact that an order has been issued on 20-12-94 by which as many as 42 officials belonging to the category of Telephone Operators etc., were appointed diverting vacancies from the direct recruitment quota. The applicant made a representation on 20-10-94 to the Chairman, Telecom Commission, requesting that the vacancies including those to be filled by a direct recruitment may be filled considering all the candidates who have passed the examination held in March, 1992, and were not promoted for want of vacancies. Finding that there is no response, the applicant has filed this application praying for a direction to the respondents to fill up the vacancies includ-

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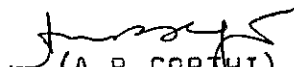
ing the vacancies falling under direct recruitment from
employees who have passed the J.T.O.
examination held on 14-3-92 and 15-3-92 irrespective of the
cadre to which they belong and also to direct the respondents
to promote the applicant to one of the JTO vacancies of the
1991 recruitment year.


2. Shri V.Bhimanna, learned standing counsel for the
Respondents argued that the applicant has rushed to the
Tribunal before the competent authority has bestowed its
attention to the claim of the applicant and therefore it
is appropriate to give a direction to the Respondents
to dispose of the applicant's representation. The counsel
for the applicant states that the applicant would also be
satisfied if a direction is given to dispose of the represen-
tation within a specified time leaving liberty to the appli-
cant to move the Tribunal in case he is aggrieved by the out-
come.

3. In the light of the above submission by the counsel at
the bar, the application is disposed of directing the Respon-
dent No.1 to consider the representation submitted by the
applicant on 20-10-94 addressed to the Chairman, Telecom
Commission, within a period of two months from the date of
communication of a copy of this order and to give the appli-
cant a speaking order within the aforesaid period of two
months. It is made clear that if the applicant feels

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aggrieved on the out come of the representation, it will be open for him to seek appropriate relief. There is no order as to costs.


(A.B. GORTHI)
Member (A)


(A.V. HARIDASAN)
Member (J)

Dt. 28th February, 1995.
Dictated in Open Court.

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Deputy Registrar (Judl.)

Copy to:-

1. Director General, Telecommunications, Department of Telecommunications, Union of India, New Delhi.
2. Chief General Manager, Telecommunications, A.P. Circle, Door Sanchar Bhavan, Hyd.
3. One copy to Sri. B.S.A. Satyanarayana, advocate, 2-1-561, Nallakunta, Hyd. 44
4. One copy to Sri. V. Bhimanna, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

In the CAT Mtd Bench
Hrd.

Hon Mr. HANU M (3)

†
Hon Mr. HABG M (A)

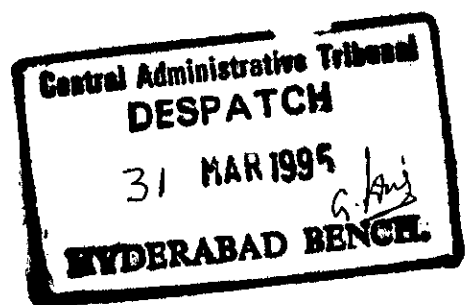
Judgement dt. 28/9/95.
in

dt. 27/9/95.

off. disposed off.

No order as to cost.

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