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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD.

O.A.No.327/95.

Date of Judgement : 10-4-1996

Between

P.Gopalakrishna Murthy .. Applicant

And

1. The Director-General,
Telecom.(Reptg. U.O.I.),
Sanchar Bhawan,
New Delhi-110001.
2. The Chief General Manager,
Telecom., A.P.,
Hyderabad-500001.
3. The Telecom. Dist. Manager,
West Godavari Telecom. Dist.,
Eluru-534050.
4. Sri M.V.Raghava Rao,
Sr. Telephone Supervisor,
Telephone Exchange,
Bhimavaram-534201.
5. Sri Ch.Kaviraju,
Sr. Telephone Supervisor,
Telephone Exchange,
Palakol-534260.
6. Sri V.Krishna Rao,
Sr. Telephone Supervisor,
Telephone Exchange,
Eluru-534001.
7. Sri J.Krishnamurthy,
Sr. Telephone Supervisor,
Telephone Exchange,
Eluru-534001.
8. Sri P.V.V.Satyanarayana Murthy,
Sr. Telephone Supervisor,
Telephone Exchange,
Tadepalligudem-534101.
9. Sri K.Ramasuryam,
Sr. Telephone Supervisor,
Telephone Exchange,
Eluru-534001. .. Respondents

Counsel for the Applicant

.. Shri N.R.Srinivasan

Counsel for the Respondents

.. Shri Kota Bhaskar Ra
Addl. CGSC

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C O R A M

Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman

Hon'ble Shri H.Rajendra Prasad : Member (A)

Judgement

[Oral Order as per Hon'ble Shri H.Rajendra Prasad, Member (A)]

The applicant Shri P.Gopalakrishna Murthy joined the composite Hyderabad Telegraph Engineering Division in the year 1960 and was confirmed w.e.f. 1.3.65. Earlier, on the bifurcation of the Hyderabad Telegraph Engineering Division, the applicant was repatriated to Vijaywada Division but was actually relieved at a later date in 1965. Subsequently on the issue of certain instructions regarding the regulation of confirmation of officials on the bifurcation of Divisions etc., the date of confirmation of all the three officials S/Shri D.Bangaraiah, P.Prakasha Rao and P.Gopalam were revised from 1.3.65 to 1.3.63. The applicant claims that these three officials were junior to him in the composite Hyderabad Division and were also released later than him and joined Vijaywada Division after him. He, therefore, claims that the benefit that was given to Shri P.Gopalam should be similarly extended.

2. The applicant claims to have been representing constar to the authorities but, according to him, no reply has been so far received. His last representation addressed to the Chief General Manager, Telecommunications, A.P.Circle, Hyderabad was on 12.11.93 which may be seen at annexure A-1.

3. This is a matter which has to be essentially examined with reference to the departmental records dating back to date of 1963/1965. In-as-much as the confirmation of Shri P.Gopal who is stated to be junior to the applicant has been altered to his advantage we could see that similar consideration might be warranted in this case as well. However, it has to be determined by the departmental authorities with reference to the various

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to the various facts available on their record in the erstwhile Hyderabad Telegraph Engineering Division and the Vijaywada Telegraph Engineering Division.

4. Under the circumstances, the only direction that can be issued in this case is regarding the regulation of confirmation of the applicant in the light of confirmation accorded to Shri P.Gopalam and such decision as might be warranted and justified as per rules has to be taken by the Respondent No.2. The decision in this case has already been delayed. It is, therefore, directed that this case be examined in the light of the facts stated in the representation referred to above as well as in this O.A., necessary decision be taken and communicated to the applicant within 60 days from the date of receipt of copy of this order. It should be specially borne in mind that the applicant is due to superannuate on 31.8.96. It is, therefore, enjoined upon the Respondent No.2 to dispose of the applicant's representation as indicated above within the time limit stipulated. Should it be decided by the Department otherwise, the request of the applicant as regards change of date of confirmation shall be made to the authorities concerned. The applicant shall represent to the authorities concerned within 60 days from the date of receipt of copy of the Department's decision as regards all or any of the consequential benefits.

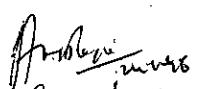
5. The O.A. is accordingly disposed of. No costs.


(H. Rajendra Prasad)
Member(A).


(M.G. Chaudhari)
Vice-Chairman.

Dated: 10-4-1996.
Open Court dictation.

br.


Deputy Registrar (D.C.C.)

Q
24/6/96

I COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD : M(A)

Dated: 10-4-1996

ORDER/JUDGMENT

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

in

O.A.No. 327/957

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.

pvm

