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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1365/96

DATE OF ORDER : 17-09-1998

Between :-

Ch.V.G.Sankaram

... Applicant
And

1. The Chief General Manager, Tele-
communication, Doorsanchar Bhavan,
Nampally Station Rd., Hyderabad.
2. The Chairman, Telecom Commission,
New Delhi.
3. The Telecom District Manager,
Eluru.
4. The Telecom District Manager,
Nizamabad.
5. M.Chinna Rao

... Respondents

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Counsel for the Applicant : Shri K.Venkateshwar Rao

Counsel for the Respondents : Shri V.Rajeshwar Rao, CGSC

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CORAM:

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

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri K.Venkateshwar Rao, learned counsel for the applicant and Sri V.Rajeshwar Rao, learned standing counsel for the respondents.

2. The applicant in this OA was awarded Censure by memo dt.25-11-92 with a stipulation that the Censure will be inforce for a period of one year from the date of service of memo on the applicant. Counsel for the applicant states that this order is dated 25-11-92 and it should have no effect after 25-11-93; but the respondents counsel states that the order dt.25-11-92 is served on the applicant only on 6-1-93 hence it will have its currency till 6-1-94 hence the applicant ~~has not been~~ ^{was} considered for promotion when the D.P.C. met during January/February, 1994.

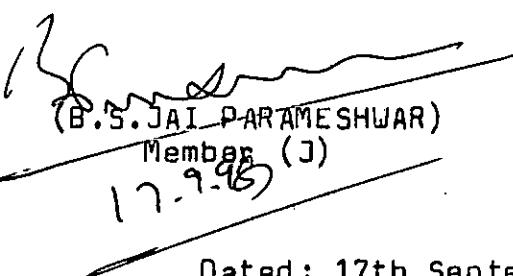
3. This O.A. is filed to promote the applicant to T.E.S. Group-B from 3-6-94 when his juniors were promoted to T.E.S.Group-B. No rule has been quoted in regard to the stipulation that the penalty of Censure will be inforce for a period of one year from the date of serving the order on the applicant. The applicant has also not challenged that order of Censure. Hence we do not observe anything in that connection. It is seen from para-5 of the reply that the DPC met during January/February, 1994. It would mean that the DPC met after 6-1-94 probably, in which case the applicant's case should have been considered for promotion. We do not know the reason for not considering his case

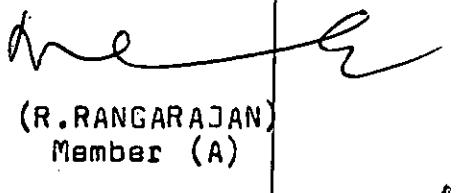
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if the DPC met in the month of January/February, 1994. That applicant filed a representation in this connection dt. 5-1-96 (Annexure-IV page-20 to the OA). It is stated that the said representation is still ~~to be~~ replied.

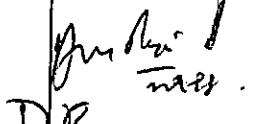
4. Sri V.Rajeshwar Rao, learned standing counsel for the respondents submits that the respondents have not received any such representation. However, the representation available at page-20 to the OA may be taken note of and the Respondent No.2 ~~shall~~ ~~may~~ dispose of the same keeping our observations in the mind. If the applicant is so advised, ^{for} may file additional representation within five days from the date of receipt of a copy of this order. As the OA copy has already been handed over to the respondents, no need for the Registry to send a copy of the OA to the respondents again.

5. Original Application is disposed of accordingly. No order as to costs.


(B.S. JAI PARAMESHWAR)
Member (J)
17.9.96


(R. RANGARAJAN)
Member (A)

Dated: 17th September, 1998.
Dictated in Open Court.


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Copy to:

1. The Chief General Manager, Telecommunications, Deorsanchar Bhavan, Nampally Station Road, Hyderabad.
2. The Chairman, Telecom Commission, New Delhi.
3. The Telecom District Manager, Eluru.
4. The Telecom District Manager, Nizamabad.
5. One copy to Mr. K. Venkateswara Rao, Advocate, CAT, Hyderabad.
6. One copy to Mr. V. Venkateswara Rao, Addl. CGSC, CAT, Hyderabad.
7. One copy to D.R(A), CAT, Hyderabad.
8. One copy to duplicate copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI S.S. JAI PARAMESHWAR:
M(J)

DATED: 17/8/98

ORDER/JUDGMENT

M.A/R.A/C.P.NO.

in
D.A.NO.1365/96

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

Y LKR

