

(20) 30

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

C.A.No. 1162/96
(OASR No. 3073/96)

DATE OF DECISION: 19-9-96

A.S.Jaya prakash & 48 others

PETITIONER(S)

Shri K.K.Chakravorthy,

ADVOCATE FOR THE PETITIONER(S)

VERSUS

The Chief General Manager, Telecommu-
nications, Hyd-1 & 2 others

RESPONDENT (S)

Shri N.R.Devaraj,

ADVOCATE FOR THE
RESPONDENT (S)

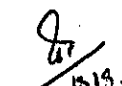
THE HON'BLE SHRI JUSTICE M.G.CHAUDHARI : VICE-CHAIRMAN


THE HON'BLE SHRI H.RAJENDRA PRASAD ; MEMBER (A)

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgement ?

Whether the Judgement is to be circulated to the other benches ?

Judgement delivered by Hon'ble Shri Justice M.G.Chaudhari,
Vice-Chairman


(HHRP)
M(A)


(HMGCJ)
VC

(3) (30)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1162/96.

DATE OF ORDER : 19-09-1996.

Between :-

- | | |
|------------------------|---------------------------|
| 1. A.S.J.Prakash | 26.T.Sriramulu |
| 2. Sundershan | 27.R.Manikanteswara Naidu |
| 3. K.L.Giridhar Prasad | 28.G.Panduranga Naidu |
| 4. D.Yuvaraj | 29.V.G.V.R.Kumar |
| 5. K.Manohar | 30.Dorai Raja Reddy |
| 6. D.Umapathi | 31.P.Bhaskaran |
| 7. K.Govindarajulu | 32.V.Mohan |
| 8. G.Dharmaiah | 33.K.Damodaram |
| 9. C.Udaya Bhaskar | 34.D.Rajanna |
| 10.V.Ravi Sekhar | 35.T.Dayanandam |
| 11.Balakrishna | 36.K.Muniratnam |
| 12.V.Venkata Muni | 37.G.Satyanarayana |
| 13.N.Surya Kanti | 38.P.Chinna Swamy |
| 14.K.Chiranjeevulu | 39.I.Narasimha Reddy |
| 15.G.Bhasker Naidu | 40.K.Subramanyam Reddy |
| 16.Krishnama Naidu | 41.Kodanda Ram Pillai |
| 17.G.Balaji | 42.T.Srinivasulu |
| 18.V.R.Ram Murthy | 43.K.V.Ananda Pillai |
| 19.V.Vishwanatha Reddy | 44.A.Parasuramam |
| 20.S.Saila Kumar | 45.S.Shappi Saheb |
| 21.S.Fareed | 46.E.Babu Naidu |
| 22.L.Muni Ratnam Naidu | 47.T.Sridhar |
| 23.B.Raghunatha Naidu | 48.G.Chandra Sekhar |
| 24.S.Nagarajappa | 49.J.Jayappa |
| 25.C.M.R.jagopal | |
- Applicants

And

- 1.The Chief General Manager,
Telecommunications, Hyd-1.
2. The District Manager, Telecommunications, Tirupati-517501.
3. Sub-Divisional Engineer, HRD, Office of the Telecommunica-
tions District Manager, Tirupathi-1.
4. M.Sambasiva Pillai
5. M.Murali
6. P.Narasimha Rao
7. A.Doraikanna
8. G.Chandraiah
9. K.Moulali
- 10.S.Harinath
- 11.V.Venkata Raju
- 12.K.N.Rama Prasad
- 13.B.C.Reddappa
- 14.P.Subramanyam
- 15.S.K.Abdul Gaffoor
- 16.G.Venkatamaiah
- 17.S.Narappa Raju

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18.N.Lakshmaiah	24.M.Subba Railu
19.K.Ramachandraiah	25.N.Adinarayana
20.M.D.Abdul Shukur	26.A.Krishnaiah
21.M.Mallukarjuna	27.K.Nagaraja
22.C.Balaiah	28.T.Siddappa
23.D.Muna Swamy Naidu	

.... Respondents

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Counsel for the Applicants : Shri K.K.Chakravorthy

Counsel for the Respondents : Shri N.R.Devaraj, Sr.CGSC

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CORAM:

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

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A)

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Oral (Orders per Hon'ble Justice Shri M.G.Chaudhari,
Vice-Chairman).

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Shri N.R.Devaraj waives notice for respondents 1 to 3.

2. The question for consideration involved in this case is same as was involved in batch of cases separately disposed-of yesterday ~~and today~~ ⁱⁿ in the reasoned order of OA 992/96 with

✓ OA 1007/96. We have heard Shri N.R.Devaraj for the official

✓ respondents and passed an order as was considered appropriate

✓ which would not prejudicially affect ^{those} who qualified at the

supplementary test. In the light of the view taken in those

cases, similar order is required to be passed in this O.A. and

from that point of view we dispense with the service of the

notices upon the private respondents in the instant case. O.A.

is formally admitted. Shri N.R.Devaraj waives notice for official

respondents. O.A. taken up for final orders.

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3. ~~The 49 applicants are working as~~ Regular Mazdoors in the Telecommunications Department in Tirupati Telecom District. They qualified at the screening test held on 25-6-94 for Phone Mechanics and were included in the eligibility list prepared on that basis. They were also included in the 6th batch which was to be sent for training from 12-8-96. That however was superseded by the respondents and instead the respondents took decision to include the candidates who qualified at the supplementary screening test held in January, 1996 in the batch to be sent for training. The grievance of the applicants is that this postponement in their being sent for training would adversely affect their promotion eventually. Hence they challenged the action of the respondents and pray that the respondents may be directed to send the applicants for pre-appointment training in accordance with the eligibility list dt. 23-7-96. Identical question arose before us for determination in respect of another batch of employees similarly placed in Tirupati Telecom District who had similar grievance. After hearing the counsel for the respondents we have granted certain relief by order passed yesterday i.e. 18-9-96 in OA 992/96 with OA 1007/96 and for the same reasons we find it appropriate to pass similar order in the instant OA also. Hence following order :-

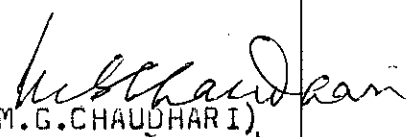
- (1) The official respondents are directed that process of appointment to the posts of Phone Mechanics for which the main qualifying screening test was held on 25-6-94 and the supplementary qualifying screening test was held on 21-1-96, shall be undertaken only after all the candidates who qualify at both the above tests have been sent for
-4.

pre-appointment training and a merit list is drawn of all these candidates on the basis of the successful completion of the training and merit rating awarded thereat irrespective of the fact as to which of the candidates have been sent for training and in whatever order they are sent in batches. Consequently the appointments to the post of Phone Mechanics for which the above screening tests were held shall not be undertaken until steps are taken in accordance with the above direction.

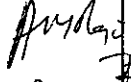
(2) It is however made clear that this direction will not apply to the 5 batches who have already completed the training and will be applicable from the 6th batch onwards till the list of candidates is exhausted. It is also made clear that it will be open to the official respondents in view of this decision to revise the list of candidates to be included in the 6th batch and further if so advised.

4. O.A. is accordingly allowed. No order as to costs. A copy of the order in OA 992/96 shall be placed on record of this O.A. and shall form part of this order.


(H. RAJENDRA PRASAD)
Member (A)


(M.G. CHAUDHARI)
Vice-Chairman

Dated: 19th September, 1996.
Dictated in Open Court.


Deputy Registrar (D) cc.

avl/