

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.28/96

DATE OF ORDER : 30-04-1998.

Between :-

Bobbillapati Kumar

... Applicant

And

1. The Directorate of Telecommunications,
Sanchar Bhavan, New Delhi-110 001.
2. The Chief General Manager,
Telecommunications, AP,
Telecom Circle,
Hyderabad-1.

... Respondents

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Counsel for the Applicant : Shri Venkata Ranga Das Kanuri

Counsel for the Respondents : Shri Kota Bhaskar 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 B.S.Jai Parameshwar, Member (A)).

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(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

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None for the applicant. The applicant was also absent when the case was taken for hearing. Heard Sri Kota Bhaskar Rao, standing counsel for the respondents.

2. No counter has been filed on behalf of the respondents. However, Sri Kota Bhaskar Rao, learned standing counsel for the respondents submits that the case of the applicant was reviewed by the High Power Committee headed by the Chief General Manager, Telecom, Hyderabad and grace marks were added to the case of the applicant and his case was recommended to one of the SC in the cadre of Phone Inspectors for the vacancies notified in 1989.

3. The applicant had appeared for the written examination conducted for the promotion to the cadre of Telephone Inspector/ Phone Inspector/T.A./W.Os against the vacancies of 1987, 1988 and 1989. On addition of grace marks, the applicant was qualified for the said post. However, the respondents had not promoted the applicant to that post.

4. Hence the applicant filed this O.A. to call for the records connected with the selection for the post of Telephone Inspectors and Repeater Station Assistants/Wireless Operators to the 1989 cadre and accordingly direct the respondents to promote the applicant as Telephone Inspector in the existing Scheduled Caste Community vacancies by declaring the action of the respondents in not taking appropriate steps to fill in the vacancies of Phone

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Inspectors and R.S.As through recommendations have been made by the respondents through order dt.5-11-92 (not communicated) as illegal, arbitrary, unjust, violative of the fundamental rights guaranteed under the constitution of India for the scheduled castes.

5. The applicant's counsel, in support of his case relied upon the decision of this Tribunal in OA 879 and 880 of 1994 dt.16-8-95 (K.Shankar Babu Vs. Directorate of Telecommunications, Sanchar Bhavan, New Delhi-1 & another). Standing counsel for the respondents submit that the present case is covered by the said decision and that similar direction to that may be given in the present case also.

6. Accordingly the following directions are given :-

The Respondent No.1 as to consider the case of the applicant as recommended by the High Power Committee on merits. If Respondent No.1 selects the applicant, the applicant has to be appointed as Phone Inspector on notional basis from the date on which the last person in the panel that was prepared in pursuance of 1989 notification assumed charge and he will get the seniority from that date. But the monetary benefits has to be given only from 28-12-94 i.e. from one year prior to the filing of this OA (this OA was filed on 28-12-95).


7. O.A. ordered accordingly. No costs.


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

30.4.98


(R. RANGARAJAN)
Member (A)

Dated: 30th April, 1998.
Dictated in Open Court.


D.R.

SN.28/96

Copy to:-

1. The Directorate of Telecommunications, Sanchar Bhavan, New Delhi.
2. The Chief General Manager, Telecommunications, A.P., Telecom Circle, Hyderabad.
3. One copy to Mr. Venkata Ranga Das Kanuri, Advocate, CAT., Hyd.
4. One copy to Mr. K. Bhaskar Rao, CGSC., CAT., Hyd.
5. One copy to BSJP M(3), CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

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95/5/98

II COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 30/4/98

~~ORDER/JUDGMENT~~

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

in

O.A. NO.

28/96

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद बेंच
HYDERABAD BENCH

12 MAY 1998

Delivered
RECEIVED

विभाग/PAFFAL SECTION