

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O A NO. 225/97
O.A.SR No. 505/97

Date of decision: 24.2.97

Between:

1. P.Lokanadhan
2. N.Phani Bhushana Chari
3. M.Venkateswarlu
4. K.S.K. Rafic ... Applicants

And

1. Chief General Manager,
Telecommunications,
A.P.Circle, Nampally,
Hyderabad.
2. The General Manager (Telecom),
Visakhapatnam.
3. District Telecom Manager,
Ongole, Prakasam Dt. ... Respondents
- Shri A.V.Rama Rao .. Counsel for applicants
- Shri N.V.Raghava Reddy, ACGSC .. Counsel for respondents

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HON'BLE SHRI JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN
HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

O R D E R

Oral Order (per Hon'ble Shri Justice M.G.Chaudhari, VC)

Shri A.V.Rama Rao for the applicants. Shri N.V. Raghava Reddy, Additional Standing Counsel for the respondents.
Notice waived. By consent taken up for final hearing.

It is the case of the applicants that they have completed the departmental examinations for promotion to the cadre of Telephone Operator in the years 1980-81 and were eligible to be promoted with effect from 1.9.1981 but they were appointed as T.O. with effect from 17.12.1982. Although they did not immediately react to that date, they found that the official respondents have now given notional promotion to four persons



mentioned in Annexure-A5 by order dated 10.11.95, issued by the Deputy General Manager, Telecommunications, Guntur. Although those persons had been appointed as T.O. with effect from 26.3.85, 6.11.84, 26.5.84 and 26.3.85 respectively, which was subsequent to the date of appointment of the applicant, i.e. 17.12.82, they have been given notional promotion with effect from the date of completion of the training, namely, 3.11.82. Thus those four persons who were similarly situated as the applicants have been given the benefit of notional promotion from the date of completion of the training. They, i.e. applicants, have been denied the same benefit. They apprehend that as a result thereof the said four persons will acquire seniority over the applicants and the chances of the applicants for promotion also would be adversely affected. They also contend that if the applicants are similarly given the benefit of notional promotion from the date of completion of their training they would be entitled to get ~~the~~ monetary benefit in the cadre of T.O.

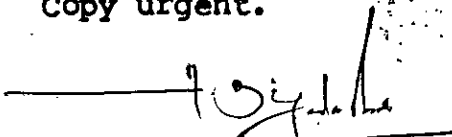
2. Prima facie it appears to us that if the official respondents have chosen the date of completion of the prescribed training of the 4 persons mentioned in Annexure-AV as an appropriate date from which they have to be deemed to be promoted as T.O., the same principle should have been applied to the applicants also. At any rate the orders produced do not indicate as to why this has not been done. This aspect, according to us, needs to be considered by the official respondents. The applicants state that they had filed a representation on 11.7.96 seeking notional promotion from the date of completion of training respectively by them but that has not been replied. From the copies of the representations filed we find that ^{same} were addressed to the Chief General Manager, Telecommunications, A.P.Circle, Hyderabad and not to


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the General Manager, Telecommunications, Guntur who was the appropriate authority. Possibly ^{for} that reason these may not have been attended to. We are informed that ~~now~~ the General Manager, Telecommunications, Visakhapatnam is now the appropriate authority as the Guntur Office is shifted to Visakhapatnam. In the interest of justice, therefore, we would direct the representations of the applicants to be properly examined and appropriately dealt with by the competent authority. In the result, following order is passed.

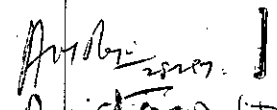
O R D E R

- (1) The applicants are given liberty to forward their representations individually to the General Manager, Telecommunications, Visakhapatnam on the same lines on which the earlier representations were submitted to the Chief General Manager, A.P. Circle, within a period of four weeks from today.
 - (2) On such representations being received, we direct the General Manager, Telecommunications, Visakhapatnam to examine the said representations on merits and in the light of the observations made herein above ^{and} convey his decision thereon to each applicant separately within a period of one month from the date of receipt of the representation.
 - (3) In the event of being aggrieved with the decision on the representation, each applicant will be at liberty to pursue his remedies in accordance with the law by filing individual O.A.
3. The O.A. is accordingly disposed of. No order as to costs.
- Copy urgent.


H. Rajendra Prasad
Member (Admve.)


M.G. Chaudhari (J)
Vice Chairman

24th February, 1997


Deputy Registrar SD-22

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O.A. 225/97

To

1. The Chief General Manager,
Telecommunications,
A.P.Circle, Nampally, Hyderabad.
2. The General Manager(Telecom)
Visakhapatnam.
3. The District Telecom Manager, Ongole,
Prakasam Dist.
4. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd.
5. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One copy spare.
8. One copy to D.R. (A) CAT. Hyd.

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Q/24(97)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

THE HON'BLE MR. H. RAJENDRA PRASAD
MEMBER (ADMN)

Dated: 24-2-1997

~~ORDER~~ JUDGMENT

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

in
O.A.No. 225/97

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.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
बेस/DESPATCH
113 MAR 1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH