

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

40

O.A.No. 39/97

Date of decision: 27.2.97

Between:

T. Hanumantha Rao .. Applicant

And

1. The Union of India rep.
by Secretary, Telecommunications, M/o Communications, New Delhi.
2. Chief General Manager, Telecommunications, A.P.Circle, Hyderabad.
3. The General Manager, Telecommunications, Guntur.
4. Sri. ~~MS~~ G.V.R.Setty, Astt. General Manager (Legal), O/o CMG, Telecom, Hyderabad.
5. Sri. A.A.Kumar, Astt. General Manager (Legal), O/o GM, Telecom, Vijayawada. ... Respondents

Mr. V.Venkateshwara Rao .. Counsel for applicant

Mr. N.R.Devaraj, SCGSC .. Counsel for respondents

CORAM

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)

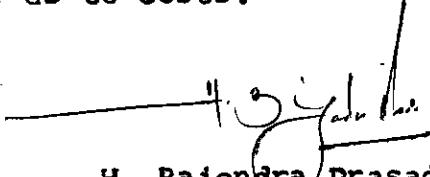
This O.A. was filed aggrieved by order dated 12.8.96 issued by the Chief General Manager, Telecommunications, A.P. Circle, Hyderabad. By that order certain TES Group 'B' Officers were promoted to the cadre of STS of ITS Group 'A' on officiating basis. The order stipulated that the promotion ordered was on purely temporary basis and not exceeding 179 days and the officers would be reverted thereafter or on joining of regular incumbent whichever was earlier. The order also

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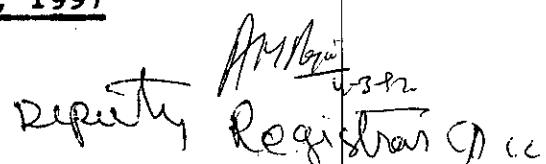
stipulated that the promotees will have no claim whatsoever on seniority in STS on the basis of the officiating promotion. The length of promotion therefore was for 179 days from 12.8.96. The name of the applicant was not included in the list of promotee officers under the said order. Hence the applicant was aggrieved with the same and filed the O.A. during the currency of the period of 179 days.

2. Mr. Venkateshwara Rao, learned counsel for the applicant now fairly states that since the period of officiating promotion of the officers under the impugned order has expired the cause of action as pleaded would not survive and the O.A. may be disposed of accordingly, without prejudice to the right of the applicant to agitate his grievance in accordance with the law in the event of accrual of future similar cause of action. We think that in the circumstances the O.A. may be disposed of without prejudice to future rights of the applicant as submitted by Mr. Venkateshwara Rao. The O.A. is accordingly disposed of as infructuous. No order as to costs.


H. Rajendra Prasad
Member (Admve.)


M.G. Chaudhari (J)
Vice Chairman

27th February, 1997


Deputy Registrar (J)

vm

O.A. 39/97

To

1. The Secretary, Telecommunications,
Ministry of Communications,
Union of India, New Delhi.
2. The Chief General Manager,
Telecommunications, A.P.Circle, Hyderabad.
3. The General Manager,
Telecommunications, Guntur.
4. One copy to Mr. V.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One sparecopy.

pvm.

27/2/97
I COURT

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CHECHED 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
MEMBER(ADMN.)

Dated: 27-2-1997

ORDER ~~JUDGMENT~~

MIA./R.A/C.A. No.

in

O.A.No.

39/97

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.

