

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO. 905 - OF - 1997

DATE OF ORDER: - 22nd July, 1997

BETWEEN:

1. KVS NAGALINGAM,
2. GS RAMA PRASAD,
3. K. LAKSHMINARAYANA,
4. B. SANKARA RAO,
5. Y. CHANNAIAH.

.. APPLICANTS

AND

1. The Chairman,  
Telecom Commission,  
New Delhi,
2. The Chief General Manager,  
Telecommunications, AP Circle,  
Hyderabad,
3. The Director, TCIL,  
HCL Complex,  
Hyderabad.

.. RESPONDENTS

COUNSEL FOR THE APPLICANTS: Mr. K. LAKSHMI NARASIMHA

COUNSEL FOR THE RESPONDENTS: Mr. NR DEVARAJ, Sr. CGSC

CORAM:

HON'BLE SHRI R. RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B. S. JAI PARAMESHWAR, MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI B. S. JAI PARAMESHWAR,  
MEMBER (JUDL.))

Heard Mr. K. Lakshmi Narasimha, learned counsel for the applicants and Mr. N. R. Devaraj, learned standing counsel for the respondents.

2. There are five applicants in this OA. They were initially appointed as Junior Engineers. Their next

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promotion is to the post of Assistant Engineer which has to be filled up through the ~~qualified~~ departmental examination as per para 206 of P&T Manual. It is their grievance that the decision in C.P.Nos.18 to 21 of 1993 ~~has~~ not been extended to them and therefore, they filed this OA for a declaration that the action of the respondents in not extending the benefits of the judgement of this Tribunal in CPs 18 to 21/93 dated 5.1.96 to them as illegal, arbitrary and unconstitutional and for a consequential direction to the respondents to step up their salary etc. as was done in the Memorandum No.TA/LC/5-32/92-III dated 5/7.11.96 and extend all the other benefits those were extended by the above said memorandum and consequently to pay them salary and allowances and other benefits in terms of the decision in CPs 18 to 21/93 dated 5.1.96.

3. Since this is a covered case and as the learned counsel for the applicants submits that the applicants are similarly placed, we feel <sup>it is only</sup> to issue the same direction provided the respondents satisfy themselves that the applicants herein are similarly placed to the applicants in OA No.594/96 which was disposed of on 20.1.1996. The learned counsel for the respondents submit that the Department never lacks behind in granting the benefit to their employees if they are due. But it is preferable <sup>for</sup> the employees to file a representation so that their cases can be considered and due benefit can be granted to them on the basis of the representation. Hence, he submits that in this case also a representation may be filed explaining their case and state that they are similarly placed to the applicants in OA 594/96. If such a representation is received, the same will be considered on merits after



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 checking the correctness of the representation and the benefits as granted in that OA will be granted to them also.

4. In view of the above submission, the applicants may submit a detailed representation within a fortnight from today to the concerned authorities. If such a representation is received, the same should be disposed of within two months as submitted by the learned standing counsel for the respondents as above.

5. The OA is ordered accordingly. No order as to costs.

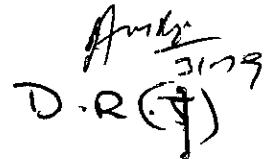
  
 (B.S. JAI PARAMESHWAR)  
 MEMBER (JUDL.)

  
 (R. RANGARAJAN)  
 MEMBER (ADMN.)

227.97

DATED: 22nd July, 1997  
 Dictated in the open court.

vsn

  
 D.R. (T)

3.4.3

Yd

**Copy to:**

1. The Chairman, Telecom Commission, New Delhi.
2. The Chief General Manager, Telecommunications, A.P.Circle, Hyderabad.
3. The Director, TCIL, HCL Complex, Hyderabad.
4. One copy to Mr.K.Lakshminarasimha, Advocate,CAT,Hyderabad.
5. One copy to Mr.N.R.Devraj,Sr.CGSC,CAT,Hyderabad.
6. One copy to HBSJ, (M), (J),CAT, Hyderabad.
7. One copy to D.R(A),CAT,Hyderabad.
8. One duplicate copy.

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22/7/97  
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TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

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

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

DATED: 22/7/97

ORDER/JUDGEMENT

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

in

O.A.NO. 905/97

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

II Court.

