

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.959/97.Dt. of Decision : 04-08-97.

M.S.GAYATRI

.. APPLICANT.

Vs

1. The Director(Electrical Works)
O/o The Dept.of Telecommunication,
New Delhi.
2. The Secretary to the Min.of Comm-
unications and Director General
of Telecommunication, Dept.of Tele-
communication, Sanchar Bhavan,
New Delhi.
3. The Chief General Manager, Telecom.,
A.P.Circle, Hyderabad.
4. Sri P.S.R.Patrudu

.. Respondents.

Counsel for the applicant : Mr.K.Venkateswara Rao

Counsel for the respondents : Mr. N.R.Devaraj, Sr.CGSC.

CORAM:-

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

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

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

Heard Mr.K.Venkateswara Rao, learned counsel for the applicant and Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant is presently working as Executive Engineer (Electrical) under R-3. It is stated that in view of the judgement of this Tribunal in OA.789/87 (Page-12 to the OA), he is entitled for the relief as ^{applied was given} ~~granted~~ to the applicants in (SLP) Civil Appeal No. 3207 to 3210/95. ^{that now be} ~~Hence~~ ~~he~~ is also entitled to get promotion as Superintending Engineer. Hence in view of that he has filed representation dated 4-6-97 and also representation dated 21-7-97 addressed to R-2. His representations are yet to be disposed of. In the mean time R-4

has been posted as S.E. If his seniority has been reckoned as above he will rank senior to R-4 also who is direct recruit and junior to the applicant herein as averred by the applicant.

3. This OA is filed to set aside the impugned order No.6-2-1/EW/TP-SE/97 dt. 16-07-97 (Annexure-I) whereby R-4 was posted as S.E. at Hyderabad and consequential declaration that the applicant is entitled for promotion as S.E.(E), Hyderabad in terms of the law declared by the Supreme Court in Civil Appeal No.3207 to 3210/95 dated 8-7-97.

4. The main question that arises in this OA is whether the applicant is senior to be promoted as S.E. That question is yet to be decided. In that he has already submitted representations. Those representations are still under consideration. Hence a direction has to be given to R-2 to dispose of his representation within a period of two months from the date of receipt of a copy of this order.

5. If the representations are disposed of in his favour the applicant contends that he will become senior to R-4. Till such time that seniority is fixed he has ^{to} worked under R-4 who in his opinion is junior to him. Hence he requests that his period of working under R-4 who in his opinion junior to him should be ~~short~~ ^{under the} ~~retrenched~~ so that he will not go ^{for a long period} ~~ignominity~~ of ~~having worked~~ under him who is his junior. The above contention appears to be reasonable. Hence time limit should be set for disposal of the representation referred to above and decide his seniority on that basis. As we have already said that the time limit of two months has been given for disposal of his representation, we feel that the time limit set is adequate and till the disposal of the representations he has ^{to endure} ~~endeavour~~ if at all he ^{is} ~~has~~ worked under his junior.

6. With the above direction the OA is disposed of at the admission stage itself. No costs.

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

Dated : The 04th August, 1997.
(Dictated in the Open Court)

(R.RANGARAJAN)
MEMBER(ADMN.)

spr

D.R.(A)

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Copy to :-

1. The Director (Electrical Works) O/O The Dept .of Telecommunication,
New Delhi.
2. The Secretary, Ministry of Communications and Director General
of Telecommunication, Dept .of Telecommunication, Sanchar Bhavan
New Delhi.
3. The Chief General Manager, Telecom., A.P.Circle, Hyderabad.
4. One copy to Mr. K.Venkateswara Rao Advocate, C.A.T. Hyderabad.
5. One Copy to Mr. N.R.Devaraj Sr. CGSC. CAT. Hyderabad.
6. One Copy to The D.R.(A).
7. One Duplicate Copy.

Upr.

8/8/97

CC To

(2)

TYPED BY
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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: 4-8-97

ORDER/JUDGEMENT

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

in
D.A. NO. 959/97

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions, at the
Admission Stage

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
दस्तावेज/DESPATCH
6 AUG 1997
HYDERABAD