

Between:3. O.A. 1317/98

D. Badde Naik

.. Applicant

A N D

1. Union of India  
Secretary,  
Ministry of Communications,  
Department of Telecommunications,  
New Delhi - 110 001.
2. The Chief General Manager  
Telecommunications, A.P. Circle,  
Door Sanchar Bhavan, Station Road,  
Nampally,  
Hyderabad - 500 001.
3. Telecom District Manager,  
Telecommunications,  
Kurnool Dist.  
Kurnool - 518 050

.. Respondents

4. O.A. 1358/98

M.V. Mutyala

.. Applicant

A N D

1. Union of India  
Secretary,  
Ministry of Communications,  
Department of Telecommunications,  
New Delhi - 110 001.
2. The Chief General Manager,  
Telecommunications,  
A.P. Circle, Door Sanchar Bhavan,  
Station Road, Nampally, Hyderabad-1
3. General Manager, Telecommunications,  
Sanchar Bhavan,  
Rajahmundry - 533 104.

.. Respondents

Counsel for the applicants : Mr. BSA Satyanarayana

Counsel for the Respondents : Mr. V. Rajeshwara Rao

Coram:

Hon'ble Shri Justice D.H. Nasir, Vice-Chairman

Hon'ble Shri H. Rajendra Prasad, Member (A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH

O.A. 1198/97, OA 1257/98, OA 1317/98, OA 1358/98

Date of decision : 21-1-1999

Between:

1. O.A. 1198/97

J. Ramakoteswara Rao .. Applicant

A N D

1. Union of India  
Secretary,  
Ministry of Communications,  
Department of Telecommunications,  
New Delhi.
2. The Chief General Manager,  
Telecommunications,  
Door Sanchar Bhavan,  
Hyderabad - 500 001.
3. The General Manager,  
Telecommunications,  
Chandramoulignagar,  
Guntur.
4. The Sub-Divisional Engineer(Trunks)  
Main Telephone Exchange,  
Kothapet,  
Guntur. .. Respondents

2. O.A. 1257/98

Md. Anwar .. Applicant

A N D

1. Union of India  
Secretary,  
Ministry of Communication,  
Department of Telecommunication,  
New Delhi - 110 001.
2. The Chief General Manager,  
Telecommunications, A.P. Circle,  
Door Sanchar Bhavan, Station Road,  
Nampally, Hyderabad - 500 001.
3. General Manager,  
Telecommunications,  
Vijayawada Telephone District,  
Seven Stars Building,  
Bander Road,  
Vijayawada - 520 010 .. Respondents

JUDGEMENT

O.A.1317/98, OA 1257/98, O.A.1358/98 & O.A.1198/97

Date of decision: 21-1-99

(Per Hon'ble Shri H . Rajendra Prasad, M(A))

Heard Mr. BSA Satyanarayana for the Applicants and Mr. V. Rajeshwara Rao , Addl. CGSC, for the Respondents.

2. The Applicants are aggrieved by the non-consideration of their cases for promotion under OTBP/BSR schemes on par with Telephone Supervisors as envisaged in Memorandum No. TA/STB/13-2/82 dt. 10-1-83. They rely mainly on a judgement of the Calcutta Bench of this Tribunal in OAs 455/87 to 458/87 (Mrs. Bharati Gupta & Ors. vs. UOI) disposed of on 14-8-1992.

3. It is not considered necessary to go into details of this case at great length except to record that, even though the OAs referred to above were finally dismissed vide para-14 of the judgement, certain observations were made in paras 12 and 13 of the same judgement. The Respondents submit, firstly that they could not take further action on the directions at para-12 in the judgement since OAs were disposed of as dismissed. They further argue that the orders in another OA cannot furnish a fresh cause of action to the present OA. The second argument is rejected straightaway since such an argument is no longer valid in view of the judgement of Hon. Supreme Court.

4. The OAs are disposed of with a direction to Respondents 2 and 3 to initiate a positive affirmative action in respect of the directions contained in para 12 of the judgement of Calcutta Bench of this Tribunal as referred to above. Necessary follow-up measures by way of consideration of applicants for further promotions under OTBP/BSR schemes shall be completed within two months from the date of receipt of a copy of this order.

5. Thus the OAs are disposed of. No costs.