

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

MANO. 586 of 2000 in CP NO. 68 of 2000 in OA 1226 of 1999

Date of Order: 8.11.2000

Between:

N. Rama Krishna

...Applicant

AND

1. Sri Shyamal Ghosh
Secretary to Govt. of India,
Ministry of Communications, Deptt. of Telecommunications,
Sanchar Bhavan, Ashoka Road, New Delhi.
2. Sri Sathagopan, Advisor (HRD),
Deptt. of Telecommunication,
Sanchar Bhavan, Ashoka Road,
New Delhi..
3. Sri R.C. Agarwal,
Chief General Manager Telecom,
Advanced Level Telecom Training Centre,
Ghaziabad.- 201001
4. Sri Ramanujam,
Chief General Manager Telecom,
A.P. Circle, Door Sanchar Bhawan,
Nampally Road, Hyderabad.

...Respondents

Counsel for the applicant :

Mr J.. Sudheer

Counsel for the respondents :

Mr B.N. Sharma, Sr. CGSC

CORAM

THE HON'BLE SHRI R. RANGARAJAN

: MEMBER(A)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR

: MEMBER(J)

(Order per Hon'ble Shri R. Rangarajan, Member(A)).

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ORDER
(Per Hon'ble Shri R. Rangarajan, Member(A)).

Heard Mr K. Sudheer learned counsel for the applicant and Mr B.N. Sharma learned counsel for the respondents.

2. This MA is to suspend the order dated 26.6.2000 of R-4 whereby the applicant's promotion order was cancelled on the ground that the results of the professional test had not been published. The applicant submits that already lot of time has passed and he should not be reverted . Even he admits that his confirmation was given in accordance with the direction given in the OA and the cancellation of the promotion order is not in order.

3. A reply has been filed in the MA stating that the formalities will be completed within a time frame of another 8 weeks and to grant a time of 8 weeks to complete the above process before issuing the promotion order.

4. The formalities to be attended to is essential before giving promotion order. The respondents cannot extend the period for giving him promotion on some pretext or other. Having given him the declaration of promotion, the respondents should have expedited the matter . Without checking the records, they have issued the order promoting him which in ~~my~~^{my} opinion, has to be treated as a failure on the part of the respondents in ~~not~~ following the rules. In any case, as stated earlier, the rules cannot be violated. We do not think 8 weeks can be granted but only 5 weeks time is granted to complete the formalities and issue order for promoting him.

5. The MA is disposed of. No costs.


(B.S. JAI PARAMESHWAR)

MEMBER(J)

8/11-02


(R. RANGARAJAN)
MEMBER(A)

Dated 8th November, 2000
Dictated in Open court

Asl/

