

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

M.A.815/2001 in O.A.1176/99

Date of Order: 7.11.2001

BETWEEN

1. Union of India, Rep. by  
Secretary, Govt. of India,  
Department of Telecommunications,  
Sanchar Bhavan, 20-Ashoka Road,  
New Delhi-110 001.
2. The Sr. Deputy Director General(BIV),  
Department of Telecom,  
10th Floor, Chandralok Building,  
Janpath, New Delhi.
3. The Deputy Secretary (CW),  
Department of Telecom,  
10th Floor, Chandralok Building,  
Janpath, New Delhi. .... Respondents/Applicants.

AND

1. Smt. S.Q.Nasreen Quadri
2. Shri S.K.Babbar
3. Shri P.K.Jain
4. Shri Niraj Goel,
5. Shri B.Venugopal. .... Respondents/Respondents.

— — —  
Counsel for the Applicants .... Mr. V.Rajeswara Rao  
Counsel for the Respondents .... Mr. V.Venkateswara Rao

— — —  
CORAM:

HON'BLE MR.JUSTICE V.RAJAGOPALA REDDY : VICE CHAIRMAN

HON'BLE MR.M.V.NATARAJAN : MEMBER (ADMN.)

— — —  
O R D E R

{Oral order as per Hon'ble Mr.Justice V.Rajagopala Reddy, VC)}

— — —

This M.A. is filed for extension of time. The applicants seek extension of time for a period of 2 months to implement the directions contained in the order of this Tribunal in the above O.A.

2. By order dated 8.3.2001 this Tribunal ~~was~~ directed <sup>the applicants herein,</sup> the respondents, <sup>to</sup> consider the case of the respondents for promotion to the grade of Superintending Engineer (Civil) to convene a review DPC from the date when her juniors were promoted <sup>(A, herein)</sup> as Superintending Engineers and promote the applicant <sup>either</sup> on adhoc or on regular basis and that the exercise should be done within a period of 3 months from the date of receipt of a copy of the order. Without complying <sup>with</sup> the above order, the applicants filed MA.387/2001 for ~~further~~ extension and the time was extended by 2 months from 18.6.2001. Thereafter again they approached with the MA.653/2001 for further extension but the same has been dismissed by a detailed order dated 7.9.2001. This MA is <sup>a</sup> further attempt for extension of time.

3. The respondents opposed the application stating that the Writ Petition filed by the applicants against the orders of the Tribunal has already been <sup>dismissed</sup> confirming the order of the Tribunal.

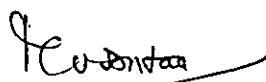
4. The learned counsel for the applicant states that in view of the orders of the Principal Bench in O.A.3020/2001 the respondents could not be considered for promotion as directed by this Bench in the above OA. We do not agree. It is no doubt true that a direction was given by the Principal Bench in the above OA as under :-

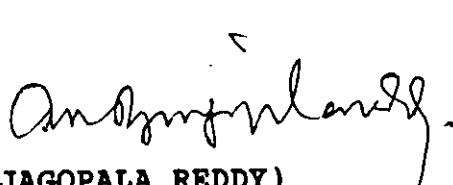
OR

"Restrain the respondents from permitting any Executive Engineers to the rank of Supdt. Engineers during the pendency of this OA."

5. In what circumstances the above order is passed is not known. The copy of the OA has not been filed. It must be remembered that a specific direction was given in the present OA as early as on 8.3.2001 that the respondents' case should be considered for promotion and the said order has been confirmed by the Hon'ble High Court of A.P. by order dated 7.9.2001. Having been obliged to comply with the directions of this order ~~as~~ <sup>and</sup> as ~~pending the W.P,~~ there was no stay by the Hon'ble High Court ~~as early as~~ within 2 months from the date of the order, the applicantA cannot now take umbrage of an order passed by the Principal Bench in November 2001.

6. We do not therefore find any ground in the MA for extension. M.A. is therefore dismissed. No costs.

  
(M.V. NATARAJAN)  
Member (Admn.)

  
(V.RAJAGOPALA REDDY)  
Vice Chairman

Dated : 7th November, 2001  
(Dictated in Open Court)

sd

  
9/11/2001