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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

\*\*\*\*\*

O.A.No.1259/99.

Dt. Of Decision : 31-08-99.

B.Dharma Rao

.. Applicant.

Vs

1. The Union of India, rep. by the  
Chairman, Telecom Commission,  
Sanchar Bhavan, New Delhi-110 001.
2. The Chief General Manager,  
Telecom, (C.G.M.T. for short)  
AP Telecom Circle, Hyderabad-500 001.

.. Respondents.

Counsel for the applicant : Mr.T.V.V.S.Murthy

Counsel for the respondents : Mr.B.N.Sharma, Sr.CGSC.

CORAM:-

THE HON'BLE SHRI JUSTICE D.H.NASIR : VICE CHAIRMAN

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

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ORDER

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

Heard T.V.V.S.Murthy, learned counsel for the applicant and  
Mr.B.N.Sharma, learned counsel for the respondents.

2. The applicant is a TES Group-B Officer. He was promoted by the letter No.TA/STA/70/4/JTS/VI/4 Dated 16-02-98 (Annexure-XVI Page-31 to the OA) to the post of Sr.Sub-Divisional Engineer. It is seen from para-3 of that letter that he has been placed in the grade of Sr.Sub-Divisional Engineer on regular basis and on that his pay will be fixed in accordance with FR-22 I (a) (I). The order of promotion was withdrawn by the impugned letter No.TA/STA/70/4/TS/VI dated 24-06-99 (Annexure-XXI Page-42 to the OA). It appears from the letter that the case of merger of TES Group-B with TTS Group-B is under examination by the UPSC. It is not understood when it is under examination by the UPSC as seen from the letter dated 24-06-99, it cannot be said that the same was not



under examination when the applicant was promoted by order dated 29-02-98. Further the applicant had worked in the promoted cadre posts from 29-02-98 to 24-06-99 i.e., about 16 months. Hence if the applicant has to be reverted the principle of natural justice has to be followed. In that the applicant should have been given a show cause notice stating that the reasons for reverting him and on the basis of the reply received <sup>for</sup> ~~from~~ the show cause notice suitable action should be taken by the respondents' organization. But without following any rule he was abruptly reverted by the impugned order dated 24-06-99.

3. This OA is filed to set aside the impugned order No.TA/STA/70/4/TS/VI dated 24-06-99 (Annexure-XXI) and he should be retained in the promoted cadre.

4. As stated earlier the <sup>respondent</sup> ~~applicant~~ should resort to <sup>reversion of the applicant -</sup> ~~be reversed~~ only after giving an opportunity to the applicant if they contemplate reversion of the applicant to TTS Group-B. Hence the impugned reversion order dated 24-06-99 is set aside and the respondents are directed to follow the rule in this connection before reverting the applicant to the lower grade of TTS Group-B.

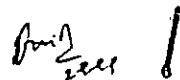
5. The OA is ordered accordingly at the admission stage itself. No costs.

  
(R. RANGARAJAN)  
MEMBER(ADMN.)

  
(D.H. NASIR)  
VICE CHAIRMAN

Dated : The 31<sup>st</sup> August, 1999.  
(Dictated in the Open Court)

SPR



IST AND II NO COURT

COPY TO :-

1. HDHND
2. HRRM M (A)
3. HBSJP M (J)
4. D.R. (A)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR  
VICE - CHAIRMAN

THE HON'BLE MR. R. RAHIGARAJAN :  
MEMBER (ADMN.)

THE HON'BLE MR. B. S. JAI PARAMESWAR :  
MEMBER (JUDL)

\* \* \*

DATE OF ORDER: 31/8/99

MA/RA/SP. NO.  
IN  
CA. No.

1259/99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

CA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

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