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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

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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, Sancha 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 The order of promotion was withdrawn by the impugned letter No.TA/STA/70/4/TS/VI dated 24-06-99 (Annexure-XXI Page-42 to the OA).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

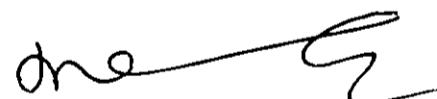


under examination when the applicant was promoted by order dated 29-02-98. Further the applicant had worked in the promoted cadre posts from 29-02-98 to 24-06-99 i.e., about 16 months. Hence if the applicant has to be reverted the principle of natural justice has to be followed. In that the applicant should have been given a show cause notice stating that the ~~for~~ reasons for reverting him and on the basis of the reply received ~~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 ~~applicant~~ <sup>Respondent</sup> should resort to ~~be reverted~~ <sup>reversion of the applicant</sup> 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.



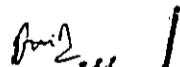
(R. RANGARAJAN)  
MEMBER(ADMN.)



(D.H. NASIR)  
VICE CHAIRMAN

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

SPR



1ST AND 2ND COURT

COPY TO :-

1. HDHNJ

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

2. HRRN M (A)

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

3. HBSJP M (J)

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

4. D.R. (A)

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

5. SPARE

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

6. ADVOCATE

7. STANDING COUNSEL

\* \* \*  
DATE OF ORDER: 31/8/99

MA/RA/SP. NO.

IN  
CA. No.

1259/99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

CP. CL OS'D

RA. CL OS'D

CA. CL OS'D

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

*6 copies*

