

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 25.01.2001

OA No. 326/1995

G.L.Meena s/o Shri Arjun Lal Meena r/o Plot No. 79, Shanti Colony,
Outside Ganga Pole, Bas Badanpura, Jaipur.

.. Applicant

Versus

1. Union of India through the Chairman, Ministry of Communications, Department of Telecommunication, New Delhi (Telecommunication Commission).
2. Chief General Manager, Rajasthan Circle, Jaipur.
3. The Assistant General Manager (Admn) Office of the Chief General Manager, Department of Telecommunications, Rajasthan Circle, Jaipur

.. Respondents

Mr. P.C.Swamy, counsel for the applicant

Mr. K.N.Shrimal, counsel for the respondents

CORAM:

Hon'ble Mr.A.K.Mishra, Judicial Member

Hon'ble Mr. N.P.Nawani, Administrative Member

Order

Per Hon'ble Mr. A.K.Mishra, Judicial Member

Heard the parties.

2. In this case the applicant has challenged the order of the respondents dated 5th July, 1995 by which 10 Junior Telecom Officers were promoted ^{arrangement basis for} in local officiating on purely temporary and ad-hoc basis to the cadre of TES Group-B. The applicant has also prayed that he had passed the examination of TES Group-B in the year 1987 and, therefore, entitled to be promoted.

3. The respondents, in this case, have filed a reply alongwith an order dated 3rd January, 1996 (Ann.R1) by which the ad-hoc

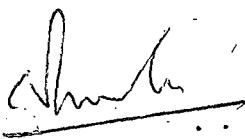
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promotion granted to Junior Telecom Officers vide Ann.Al was withdrawn.

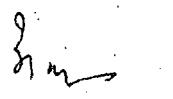
4. The learned counsel for the respondents submits that ~~vide~~ ^{as per} order Ann.R1, application of the applicant does not survive. On the other hand, the learned counsel for the applicant submits that the applicant was not considered for regular promotion in the year 1998 on the basis of his having passed the qualifying examination of TES Group-B in the year 1987 and, therefore, the respondents should be directed to accord promotion to the applicant accordingly after due consideration of his qualification.

5. We have considered the rival submissions. In our opinion, the present OA does not survive as the ad-hoc promotion order Ann.Al has been modified by order dated 3rd January, 1996 (Ann.R1) by reverting all persons to their substantive post. The oral prayer ^{of the applicant} relating to non-consideration in the year 1998 cannot be considered as the subject matter of the contention in this case. The applicant is free to take suitable legal action relating to the grievance of non-consideration in the year 1998. That matter is not required to be considered in this OA.

6. The OA, in our opinion, has become infructuous and consequently disposed of accordingly with no order as to costs.


(N.P. NAWANI)

Adm. Member


(A.K. MISHRA)

Judl. Member