

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR.

Date of Decision: 18.4.2002

OA 245/96

R.N.Khurana s/o Shri Chandi Ram r/o D-2/1, Doorsanchar
Colony, Jaipur.

... Applicant

Versus

1. Union of India through Secretary, Ministry of
Telecommunication, Sanchar Bhawan, New Delhi.
2. Chairman, Telecom Commission, Sanchar Bhawan,
New Delhi.
3. Shri A.K.Naggar, Supdt.Engineer (Civil),
Mahanagar Telecom Nigam Limited, Delhi.

... Respondents

CORAM:

HON'BLE MR.JUSTICE O.P.GARG, VICE CHAIRMAN

HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

Mr.C.B.Sharma, counsel for Applicant

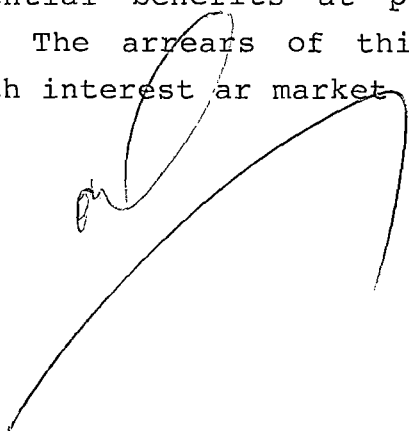
Mr.R.L.Agarwal, brief holder for Mr.Bhanwar Bayri,
counsel for Respondents

O R D E R

PER HON'BLE MR.JUSTICE O.P.GARG, VICE CHAIRMAN

The applicant who was holding the post of
Superintending Engineer and presently stands
superannuated has filed the present OA under Section
19 of the Administrative Tribunals Act, 1985, for the
following reliefs :

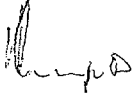
"That the respondents No.1 to 2 may be directed
to consider the promotion of applicant to the
post of Executive Engineer (Civil) on regular
basis from the due date and directed to delete
the word 'Adhoc' Executive Engineer (Civil)
from the impugned seniority list dated 25.11.94
(A/1). The respondents may further be directed
to consider his promotion to the post of
Superintending Engineer (Civil) from the
retrospective date and allow him all
consequential benefits at par with his next
junior. The arrears of this account may be
paid with interest at market rate."

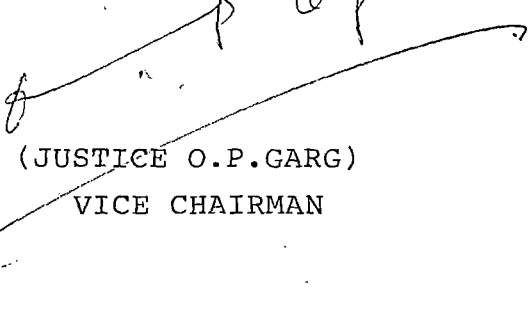


2. Heard the learned counsel for the parties.

3. No sooner the arguments began, the learned counsel for the applicant pointed out that this case is squarely covered by the decision of the Principal Bench of the Central Administrative Tribunal in OA 1689/2000, Shri D.K.Vijh v. UOI & Ors., reported at 2002 (1) ATJ 249. The learned counsel for the respondents does not dispute this position.

4. We, therefore, dispose of this OA finally in terms of the decision of the Principal Bench aforesaid and direct that the applicant, who was initially promoted as Executive Engineer on ad hoc basis in the year 1978, is entitled to be treated on regular basis from that year i.e. 1978 and is also entitled to be considered for further promotion to the post of Superintending Engineer from the date his junior was so promoted, with all consequential benefits. No order as to costs.


(A.P.NAGRATH)
MEMBER (A)


(JUSTICE O.P.GARG)
VICE CHAIRMAN