

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/l, 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.Nayyar, 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

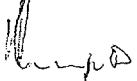
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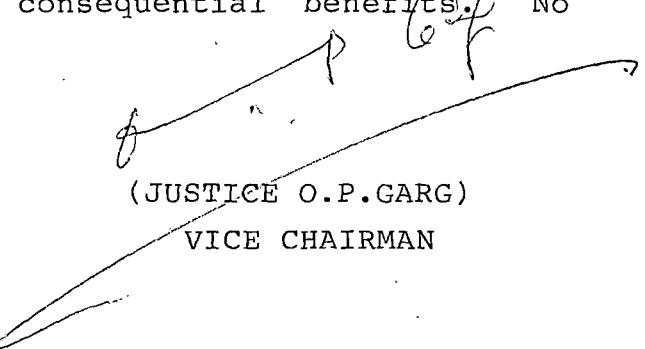
PER HON'BLE MR.JUSTICE O.P.GARG, VICE CHAIRMAN

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 ar 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