

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

DATE OF ORDER : 23.11.2012

OA No.448/96

Omprakash Mahawar son of Shri Balu Ram, aged about 36 years, resident of Opposite E.S.I. Dispensary No. 4, Sodhala, Ajmer Road, Jaipur (Rajasthan), presently working in the office of the General Manager Telecom (East), Jaipur as Senior Telecom Operating Assistant (General).

....Applicant.

VERSUS

1. Union of India through the Chief General Manager, Telecom, Rajasthan Telecom Circle, Dak Tar Bhawan, Sardar Patel Marg, Jaipur.
2. The General Manager Telecom (Operation), Rajasthan Telecom Circle, Dak Tar Bhawan, Sardar Patel Marg, Jaipur.
3. The Genral Manager Telecom (East), 12, Dwarika Puri, Jamnan Lal Bajaj Marg, C-Scheme, Jaipur.
4. The Assistant Director (Staff), Office of the General Manager Telecom (East), 12, Dwarika Puri, Jamna Lal Bajaj Marg, C-Scheme, Jaipur.
5. Shri Mangal Ram Jat, Sr. Telecom Assistant (General), through the General Manager Telecom (East), 12, Dwarika Puri, Jamna Lal Bajaj Marg, CScheme, Jaipur.

....Resondents.

Mr. V.B. Srivastava, Counsel for the applicant.

Mr. R.L. Agarwal, Proxy counsel for

Mr. Bhanwar Bagri, Counsel for the respondents.

CORAM

Hon'ble Mr. Gopal Singh, Member (Administrative)

Hon'ble Mr. J.K. Kaushik, Member (Judicial)

ORDER

MR HON'BLE MR. J.K. KAUSHIK, MEMBER (JUDICIAL)

Applicant Om Prakash Mahawar has filed this OA u/s 19 of the Administrative Tribunal's Act, 1985. The case of the applicant is that he was denied officiating promotion to the Sr. TAO under restructuring Scheme on the pretext that he was not having proper training in the Computer technology. He was also not working with the computers at the relevant time. As one of his junior, Shri Mangal Ram Jat, Respondent No. 5, has been allowed the benefits of officiating promotion to the post of Sr. TAO from 1.5.1993 to 31.12.1995. The applicant, however, was promoted on regular basis on the said post w.e.f. 5.2.96. The matter in dispute is regarding officiating promotion for the period from 1.5.1993 to 31.12.1995.

2. Today we dealt with similar controversy in the identical matter and have allowed the relief of One Shri Atul Kumar Saxena vs. Union of India in OA No. 400/96. In Both the cases one of the respondents, Shri Mangal Ram Jat, is the junior person, who has been allowed benefits of officiating promotion



to the post of Sr. TAO ignoring the case of both the applicant. We apply the said judgement to the present case and grant the same relief.

3. In view of the above, we pass the order as under :-

OA is allowed. The respondents Nos. 1 to 4 are directed to treat the applicant as promoted to the post of Sr. TAO (Computer) on officiating basis for the period from 1.5.93 to 31.12.95. The Applicant shall be entitled to all the consequential benefits thereof including the fixation of pay, arrears etc. This order shall be complied with within a period of three months from the date of receipt of a copy of this order. No order as to costs."

J.K. KAUSHIK

MEMBER (J)

Gopal Singh

(GOPAL SINGH)

MEMBER (A)