

Date of Decision: 13.4.1999

OA 578/96

B.D.Tyagi, Dy.General Manager (OFC Installation) in the office of the General Manager Telephone District, Jaipur.

... Applicant

Versus

1. Union of India through Secretary, Deptt.of Telecommunications, Ministry of Telecommunications, Govt.of India, New Delhi.
2. Chairman, Telecom Commission, Sanchar Bhawan, 20-Ashoka Road, New Delhi.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.P.V.Calla

For the Respondents

... —

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, B.D.Tyagi, in this application under Section 19 of the Administrative Tribunals Act, 1985 (for short, the Act), has prayed for the following reliefs :-

- "i) assign seniority to the applicant in T.E.S. Group B above Shri B.C.Dalai and Shri Kalyan Singh as per direction of various decisions of CAT, Allahabad High Court and Hon'ble Supreme Court of India.
- ii) the applicant be deemed to have been appointed in T.E.S. Group B from 8.8.73, in Group A w.e.f. 8.7.82 and in JAG of ITS Group A w.e.f. 28.10.94 and fix his notional salary from these dates.
- iii) the respondents be directed to make actual payment to the applicant after notional fixation as above from 13.8.74 in T.E.S. Group B from 7.3.85 in Group A and from 24.7.96 in JAG of I.T.S. group A.
- iv) the respondents be directed to pass appropriate Pension Payment Order, Gratuity Payment Order accordingly and make payment of difference to the applicant.
- v) the respondents be directed to make payment of interest at the rate of 18% P.A. on the amount which was wrongly withheld by them."

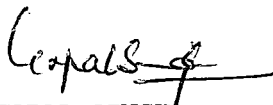
CH. KRISHNA

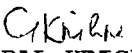
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2. Heard the learned counsel for the applicant.

3. The learned counsel for the applicant has drawn our attention to the notice for demand of justice dated 17.8.96 and has stated that the same be treated as a representation and it should be decided through a detailed speaking order on merits.

4. We, therefore, dispose of this application, at the stage of admission, with a direction to respondent No.2 to take a decision on the notice for demand of justice dated 17.8.96 treating the same as a representation within the meaning of Section 20 of the Act through a detailed speaking order within a period of three months from the date of receipt of a copy of this order. Let a copy of the OA and the annexures thereto be sent to respondent No.2 alongwith a copy of this order.


(GOPAL SINGH)
ADM.MEMBER


(GOPAL KRISHNA)
VICE CHAIRMAN

VK