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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

OA No. 546/97

Date of order: 27.01.1998

1. Madhav Saran Sharma at present working as Senior T.O.A. in the Office of Chief General Manager Telecommunication, Jaipur.
2. Girish Kumar Sharma at present working as Senior T.O.A. in the office of Chief General Manager Telecommunication, Jaipur.
3. Ram Charan Meena, now-a-days working as Senior T.O.A. in the office of C.G.M. Telecommunication, Jaipur.

.. Applicants

Versus

1. Union of India through the Secretary, Department of Telecom, Sanchar Bhawan, Sansad Marg, New Delhi.
2. Chief General Manager Telecommunication, Department of Telecom, Rajasthan Circle, Jaipur -7.
3. Assistant General Manager (Admn.), Office of the C.G.M.T., Rajasthan Circle, Jaipur-7.

.. Respondents

None present for the applicants

Mr. R.A.Yadav, SDE, Departmental Rep. for the respondents

CORAM:

Hon'ble Mr. O.P.Sharma, Administrative Member

Hon'ble Mr. Ratan Prakash, Judicial Member

ORDER

Per Hon'ble Mr. O.P.Sharma, Administrative Member

In this application under Section 19 of the Administrative Tribunals Act, 1985 S/Shri Madhav Saran Sharma, Girish Kumar Sharma and Ram Charan Meena have prayed that the order dated 22.11.1997 (Ann.A1) by which the applicants were sought to be reverted if they did not furnish the required undertakings, may be quashed and the respondents may be directed not to revert the applicants from the post of Senior T.O.A. A further direction has been sought to the effect that no money may be recovered from the applicants vide order dated 22.11.1997 (Ann.A1).

2. None is present on behalf of the applicants even in the second

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round. We have heard the departmental representative and have perused the material on record.

3. Part of the order Ann.A1 dated 22.11.1997 by which the applicants were sought to be reverted reads as under:

" In accordance with DOT New Delhi letter No. 15-5/96-TE-II dated 26.3.97 and 15-5/96-TE-II dated 17.7.97, the following officials who are already officiating in Sr. TOA (G) grade will continue to officiate till the clarification sought for from DOT New Delhi is received. Further they have to submit undertaking in the performa attached that in case supernumery posts are not sanctioned by the DOT New Delhi, they will stand reverted w.e.f. the date from which posts are not available.

| Sl.No. | Name of officials | G/L No. | Reference of Promotion |
|--------|---------------------|---------|-----------------------------------|
| 1. | Sh. Narain Singh | 125 | STA/15-132/ecorr/80 dated 10-2-80 |
| 2. | Sh. Rajesh Gandhi | 126 | - do - |
| 3. | Sh. A.M.Duniwal | 127 | - do - |
| 4. | Sh. A.K.Sharma | 128 | STA/15-132/ecorr/93 dt. 25.3.96 |
| 5. | Sh.Madhav S.Sharma | 129 | - do - |
| 6. | Sh.Girish Kr.Sharma | 131 | - do - |
| 7. | Sh.R.C.Meena | 132 | - do - |
| 8. | Sh. R.K.Chawla | 134 | - do - |

All other terms and conditions will be the same as mentioned in letter quoted in earlier orders issued in this connection. In case any clarification is required the same may be called for from this office before implementation of these orders."

4. The departmental representative has produced before us an order dated 7.1.1998 issued by the office of the Chief General Manager Telecom, Rajasthan Circle, Jaipur in which it has been stated that the officials listed in the portion of the order reproduced above are not required to submit their undertakings and their pay and allowances as officiating Senior T.O.A. (G) may be drawn and paid without any

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undertaking from them. It has further been stated in the said order that these officials will not be reverted in view of the instructions received from the DOT New Delhi, referred to in the said order. The names of the three applicants are included in the said order to whom this order is applicable.

5. In these circumstances, the relief claimed by the applicants stands allowed by the order passed by the respondents on 7.1.1998. A copy of which has been taken on record. The OA has, therefore, become infructuous and it is dismissed. No order as to costs.



(Ratan Prakash)

Judicial Member



(O.P. Sharma)

Administrative Member