

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 788 of 1998

Jabalpur, this the 2nd day of December, 2003

Hon'ble Shri M.P. Singh, Vice Chairman  
Hon'ble Shri G. Shanthappa, Judicial Member

1. B.S. Oswal, S/o Shri Sagarmal  
Oswal, aged about 52 years,  
SDOP-II (City), In the O/o.  
General Manager, Telecom, Bhopal  
Telecom Distt. Bhopal (M.P.).
2. M.F. Quaiyumi, S/o. Shri Mohd.  
alias Khan, aged about 52 years,  
Assistant Engineer (Legal), In  
the O/o Chief General Manager,  
Telecom, M.P. Telecom Circle,  
Bhopal (M.P.).

... Applicants

(By Advocate - Shri S. Ganguli on behalf of Shri M.Sharma)

V e r s u s

1. Union of India,  
through the Chairman,  
Telecom Commission,  
Ministry of Communication,  
Department of Telecommunication,  
Sanchar Bhawan, 20, Ashoka Road,  
New Delhi-1.
2. The Chief General Manager,  
Telecom, Telecom Circle,  
Madhya Pradesh Door Sanchar  
Bhawan, Near Govt. Press,  
Hoshangabad Road, Bhopal-15.

... Respondents

(By Advocate - Shri S.C. Sharma)

O R D E R (Oral)

By G. Shanthappa, Judicial Member -

The above Original Application is filed seeking the following reliefs :-

(i) That this Hon'ble Tribunal may be pleased to direct the respondents to grant the applicants notional promotions from the date on which the respective juniors (as per revised seniority list, and as shown in the tabulation Annexure A-6) actually assumed charge as Assistant Engineer.

(ii) That this Hon'ble Tribunal be pleased to direct the respondent authorities to fix pay of the applicants on the post of Assistant Engineer (Sub Divisional Engineer) as on date on which the respec-



tive juniors actually assumed charge as Assistant Engineer (Sub Divisional Engineer) and thereafter re-fix their pays on the date on which each of the applicant actually assumed as Assistant Engineer (Sub Division Engineer) so also the respondents be further directed to work out arrears of pay on this basis and the same be granted to the applicants, with a further direction to carry this into effect through subsequent years and posts, likewise uptill date.

(iii) That this Hon'ble Tribunal be further pleased to direct the respondents authorities to ~~ste-p~~ up the pay of the applicants, if required, in pursuance to the fixation, as prayed for, in order to give effective relief in terms of the order of the Apex Court.

(iv) That this Hon'ble Tribunal be pleased to direct the respondent authorities to grant aforementioned benefits in a time bound fashion within a period of 90 days failing which the respondent authorities be saddled with interest at the rate of 18% per annum on the arrears.

(v) Any other writ, order or direction which the Hon'ble Tribunal deems just and proper may also be passed in the facts and circumstances of the case as also in the interest of justice and to give relief to the applicants.

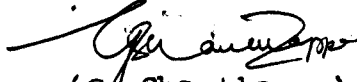
(vi) Cost of these proceedings may also be granted in favour of the applicants."

2. The advocate for the applicant has submitted that a which fully covers this case similar issue ~~has~~ <sup>Ep.</sup> been decided by this Tribunal on 23rd January, 2001 in OA No. 103/1996 and connected cases on the basis of the decision of the Hon'ble Apex Court in the case of Union of India Vs. Madras Telephone S.C. & S.T. Social Welfare Association, reported in 2000 (6) JT-SC 472 decided on 26.04.2000. He further submitted that RA Nos. 11/2001, 12/2001 and 13/2001 were also filed seeking review of the order in OA No. 103/1996 and connected cases and the same was also dismissed on 17.10.2003.

3. In this view of the matter this Original Application

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is also disposed of in the same lines as in OA No. 103/96  
and connected cases. No order as to costs.

  
(G. Shanthappa)  
Judicial Member

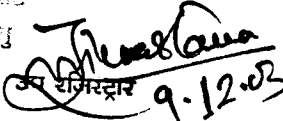
  
(M.P. Singh)  
Vice Chairman

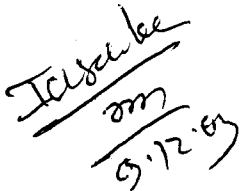
"SA"

पृष्ठंकन सं. ओ/न्या.....जबलपुर, दि.....

पतिविधि लागू पित---

- (1) रविम, उता पदायनार नर एवेतिनर, जबलपुर  
(2) कांउंसल श्री/मीनली/कु.....के काउंसल Shri Manoj Sharma Adv. JBP.  
(3) कांउंसल श्री/मीनली/कु.....के काउंसल Shri S.C. Sharma Adv. JBP.  
(4) कांउंसल, रोपन, जबलपुर काउंसल  
सूचना एवं आवश्यक कार्रवाई हेतु

  
ज. क. शर्मा 9.12.03

  
9.12.03