

CENTRAL ADMINISTRATIVE TRIBUNAL**CHANDIGARH BENCH****O.A.No.060/00567/2014****Decided on: 23.07.2014**

CORAM: **HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**
HON'BLE MR. UDAY KUMAR VARMA, MEMBER(A)

1. Jarnail Singh, HRMS No.198604692, Sub Divisional Engineer (Enterprise Business / Marketing) O/o General Manager (Telecom), "District" Bharat Sanchar Nigam Limited, Ambala (SSA).
2. Naresh Kumar, HRMS No.200304475, Sub Divisional Engineer / Assistant Director (Legal) O/o Chief General Manager (Telecom), Haryana Bharat Sanchar Nigam Limited, Ambala Cantt.
3. Ran Vijay Singh, HRMS Nos.200302650, Sub Divisional Engineer / Assistant Director (NOFN) O/o Chief General Manager (Telecom), Haryana, Bharat Sanchar Nigam Limited, Ambala Cantt.
4. Anil Kumar, HRMS No.200202151, Sub Divisional Engineer / Assistant Director (CC) O/o Chief General Manager (Telecom), Haryana, Bharat Sanchar Nigam Limited Circle, Ambala Cantt.
5. Ashok Kumar, HRMS No.20030226, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rewari (SSA).

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6. Somesh Subhash, HRMS No.200205375, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rewari (SSA).
7. Pawan Kumar, HRMS No.200300630, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rewari (SSA).
8. Vijender Singla, HRMS No.200304326, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Karnal (SSA).
9. Priti Mittal, HRMS No.200304327, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rohtak (SSA).
10. Gaurav Mittal, HRMS No.200304329, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rohtak (SSA).
11. Sandeep Jain, HRMS No.200300710, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rohtak (SSA).
12. Mohinder Singh, HRMS No.200301521, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Karnal (SSA).
13. Ranbir Singh, HRMS No.199206715, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Sonapat (SSA).

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14. Sanjeev Kumar, HRMS No.199293854, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Sonapat (SSA).
15. Shailendra Chauhan, HRMS No.200305663, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Gurgaon (SSA).
16. Manu Khandelwal, HRMS No.200204578, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Gurgaon (SSA).
17. Atul Kumar Aggarwal, HRMS No.200204623, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Gurgaon (SSA).
18. Nitin Malhotra, HRMS No.200304385, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Gurgaon (SSA).
19. Ms. Shradha Agrawal, HRMS No.200304401, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Gurgaon (SSA).
20. Atma Ram, HRMS No.200204699, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Hissar (SSA).

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21. Manoj Kumar, HRMS No.200301766, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Karnal (SSA).
22. Anil Kumar, HRMS No.200202140, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Karnal (SSA).
23. Joginder Singh, HRMS No.200305052, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rewari (SSA).
24. Hem Chander Yadav, HRMS No.200304714, Sub Divisional Engineer (Telecom), Bharat Sanchar Nigam Limited, Rewari (SSA).

Applicants

By : Mr. N.P. Mittal, Advocate.

Versus

1. Bharat Sanchar Nigam Limited, Corporate Office, 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi-110001 through its Chairman-cum-Managing Director
2. Director (HRD), Corporate Office, Bharat Sanchar Nigam Limited, 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi-110001.

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Respondents

By: None.

ORDER(ORAL)
HON'BLE SANJEEV KAUSHIK, MEMBER (J)

1. The present Original Application has been filed by the applicants seeking issuance of a direction to the respondents to assign them notional date of promotion as Sub Divisional Engineer w.e.f. 4.1.2011, six months after the 1st Schedule of Exam Notification / holding of date of examination viz 04.07.2010, in promotion order dated 2.7.2013 (Annexure A-10) with all the consequential benefits in view of decision of Principal Bench of this Tribunal in O.A.No.2306/2012 (**Shri Sanjay Bhardwaj & Ors. Vs. UOI etc.**) decided on 2.1.2014 and **O.A. No. 181/2009** of Bangalore Bench of this Tribunal.
2. At the time of filing of the O.A. the applicants had not annexed any representations indicating that they had made request to the respondents for claiming the benefits aforementioned.
3. Now the applicants have moved M.A.No.060/00983/2014 for placing on record copies of representations, Annexures A-15 and A-16. The M.A. is allowed for the reasons stated therein

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and the copies of Annexures A-15 and A-16 annexed therewith are taken on record.

4. The learned counsel for the applicants very fairly submitted that the respondents have not taken any decision on the representations filed in January/April/May, 2014 and as such the applicants would be satisfied if a direction is issued to the respondents to consider and take a decision on the pending request of the applicants, within a time bound manner.
5. For the order which we propose to pass there is no need to issue any notice to the respondents as respondents are being asked to take a view only on the pending claim of the applicants and in the absence of any stand taken by the respondents, it would not be possible for this Tribunal to adjudicate upon the issue raised by the applicants.
6. In view of the above factual scenario, we deem it fit and appropriate to direct the Competent Authority amongst the respondents to take a view in the matter on the pending representations, Annexures A-15 and A-16 keeping in view the decisions relied upon by the applicants as at Annexures A-1 and A-2 and pass appropriate reasoned and speaking orders in accordance with the instructions and law after examining as to whether the case of the applicants is covered by the relied

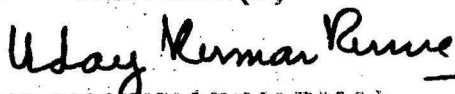
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upon decisions or not, within a period of two months from the date of receipt of a copy of this order.

7. Needless to mention that we have not expressed any opinion on the merits of the case.

8. The O.A. shall stand disposed of in limine accordingly.


(SANJEEV KAUSHIK)
MEMBER (J)


(UDAY KUMAR VARMA)
MEMBER (A)

Place: Chandigarh
Dated: 23.05.2014

HC