

Central Administrative Tribunal Principal Bench, New Delhi

O.A.No.4284/2012

Monday, this the 2nd day of November 2015

Hon'ble Mr. A.K. Bhardwaj, Member (J)
Hon'ble Mr. V.N. Gaur, Member (A)

1. Mr. Navin Kumar, Age 35 years
s/o Mr. Parmanand Singh
r/o C-30 Telecom Staff Quarters
Vivek Vihar, Delhi-95
2. Mr. Manish, age 38 years
s/o late Mr. Madan Prasad
r/o B-180, Sector 33, Noida (UP)

.Applicants

(Nemo)

Versus

Union of India

1. Bharat Sanchar Nigam Limited
Through its Chairman cum Managing Director
Bharat Sanchar Bhawan
Harish Chandra Mathur Lane
New Delhi-1
2. The G.M., D.E. Cell
2nd Floor, Eastern Court
Janpath, New Delhi-1
3. The General manager
Personnel IV Section
Corporate Office
Bharat Sanchar Nigam Limited
5th Floor, Bharat Sanchar Bhawan
Janpath, New Delhi

..Respondents

(Mr. Amit Sinha for Mr. R V Sinha, Advocate)

O R D E R (ORAL)

Mr. A.K. Bhardwaj:

There is no appearance on behalf of the applicants even on revised call. Mr. Amit Sinha, learned proxy counsel for respondents submitted that

batch of Original Applications, including O.A. No.207/2013 – **Sri Pradip Kumar Das & others v. Bharat Sanchar Nigam Limited & others**, involving identical controversy, was disposed of by this Tribunal in terms of Order dated 21.05.2013 with direction to the respondents to re-evaluate all the answer sheets of all the candidates based on the principles and parameters laid down in the Original Applications and prepare a fresh list of qualified candidates. Paragraph 20 of the Order reads thus:-

“20. We, therefore, dispose of all these OAs with the direction to the Respondent-BSNL to re-evaluate all the answer sheets of all the candidates based on the aforesaid principles and parameters and prepare a fresh list of qualified candidates. Since the examination was held on 04.03.2012 and candidates are awaiting for their promotion for over an year, the Respondent-BSNL shall ensure that the fresh list of qualified candidates is published as early as possible, preferably within 2 months from the date of receipt of a copy of this order.

2. The aforementioned Order of the Tribunal has been upheld by the Hon'ble High Court in W.P. (C) No. 4843/2013 in terms of Order dated 01.08.2013, relevant excerpt of which reads thus:-

“9. We have heard the counsel for the petitioners, and seen the conclusion arrived at by the Tribunal and we are of the view that the Tribunal has considered all aspects of the case and in its ultimate conclusion has prescribed principles/methodology for revaluating the answer sheet. While doing so, the Tribunal has also relied on law as laid down by the Supreme Court. It is seen, the final answers were settled by the respondents, after calling objections from the concerned. The Association has filed a representation in that regard. The directions of the Tribunal are proper. No interference is called for by us in the impugned order and we dismiss the writ petition as being without merit.”

3. Learned proxy counsel for respondents further submitted that benefit of the aforementioned Orders would be extended to the applicants herein also.

4. In view of the stand taken by learned proxy counsel, the Original Application is disposed of with direction to the respondents to extend the benefit of aforementioned Orders to the applicants herein. No costs.

(V.N. Gaur)
Member (A)

(A.K. Bhardwaj)
Member (J)

November 2, 2015
/sunil/